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ABSTRACT

The report describes in general terms the background to the question of paid educational leaves for wage earners and salaried employees and discusses the purposes of such leave. It provides examples of the national law and practice in this field in various countries, examines some particular aspects of the question, and considers possible forms of international action. The document is intended to serve as a preliminary report for communication to the member governments of the International Labour Office to provide a basis for discussion at the 58th session of the International Labour Conference. With this purpose in mind, a questionnaire is included to serve as an instrument for governmental response to the document. The responses to this questionnaire constitute Part 2 of the report (CE 000 524). (AG)

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International Labour Conference
58th Session, Geneva 1973

CE

Report VI (1)

Paid Educational Leave

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International Labour Office Geneva

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International Labour Conference
58th Session Geneva 1973

Report VI (1)

Paid Educational Leave

Sixth Item on the Agenda

International Labour Office
Geneva 1972

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INTRODUCTION

The Governing Body of the International Labour Office, at its 183rd (May-June 1971) Session, decided to place on the agenda of the 58th (1973) Session of the International Labour Conference an item entitled " paid educational leave ".

The proposal that paid educational leave should be examined by the Conference with a view to the adoption of an international instrument on the subject originated in a resolution adopted by the Conference at its 49th (1965) Session. This resolution [1] advocates " the access of workers to various types of paid educational leave, as distinct from holidays with pay for recreational purposes, in order to give them the opportunity and incentive to acquire the further education and training which they need to carry out their duties at the workplace and to assume their responsibilities as members of the community ".

The terms of this resolution subsequently formed the basis for resolutions adopted by other organs of the ILO. Thus, the Advisory Committee on Salaried Employees and Professional Workers, the Textiles Committee and the Building, Civil Engineering and Public Works Committee, in 1967, 1968 and 1971 respectively, adopted resolutions concerning paid educational leave for occupational and educational improvement.[1]

With regard to trade union activities, the Workers' Representatives Recommendation (No. 143) adopted by the International Labour Conference at its 56th (1971) Session calls for workers' representatives to be given the necessary time off, without loss of pay or of social and fringe benefits, in order o attend trade union meetings, training courses, seminars, congresses and conferences.

Certain other organisations, both international and regional, have in recent years shown a marked interest in the subject of paid educational leave. For instance, at the Thirteenth Session of its General Conference (Paris, 1964), UNESCO adopted resolution 1.261 relating to permanent education for adults, which invites member States to consider the provision of facilities for the life-long education of adults as an integral part of their education systems and also proposes, among other things, that workers should be granted the leave—paid, if possible—necessary for their training within the framework of permanent education. The Council of Europe has under consideration the possibility of establishing a European convention on educational leave ; as a basis for such an instrument, the Council for Cultural Co-operation sponsored a series of studies on the subject. [2] In addition, in 1971 the

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[1] For the texts see Appendix II.

[2] *Permanent Education*, a compendium of studies commissioned by the Council for Cultural Co-operation (Strasbourg, Council of Europe, 1970); R. Crummenerl and G. Dermine: *Educational Leave, a Key Factor of Permanent Education and Social Advancement* (Strasbourg, Council of Europe, 1969).

Organisation for Economic Co-operation and Development held an international conference on continuing training and education during working life [1] which dealt, *inter alia*, with the measures taken in various countries relating to the use of working time for educational purposes.

Finally, in accordance with a decision taken by the Governing Body at its 184th (November 1971) Session, a Meeting of Experts on Paid Educational Leave was organised by the ILO in Geneva in January 1972.[2]

In accordance with the decision by the Governing Body, this item will be dealt with under the double-discussion procedure provided for in article 39 of the Standing Orders of the Conference. Accordingly, the Office has prepared the present preliminary report for communication to governments with a view to the first discussion by the Conference.

Chapter I describes in general terms the background to the question and discusses the purposes of paid educational leave. Examples of the national law and practice of various countries in this field are given in Chapter II. Chapters III and IV examine some particular aspects of the question, such as the financial implications and the duration and forms of paid educational leave, while Chapter V considers possible forms of international action. The report concludes with a questionnaire to which governments are asked to reply, giving the reasons for their replies.

It has been found in the past that Members whose law and practice are in conformity with the essential provisions of an international instrument are sometimes unable to ratify or accept that instrument formally by reason of comparatively minor divergences between its precise terms and national law or practice. These divergences may relate to the scope of the instrument: the scope of the relevant national legislation may not completely coincide with the instrument or may define differently the sector or sectors covered by it. Alternatively, they may relate to details of application of the basic principles. It is clearly desirable for difficulties of this nature to be taken into account at the time of the drafting of the instrument, with a view to determining whether it can be rendered sufficiently flexible to meet these difficulties without detriment to its substantive effect. A question has accordingly been included in the questionnaire inviting Members to indicate any particularities of national law and practice concerning the subject under discussion which in their view are liable to create difficulties in the implementation of an international instrument as conceived in this report, and to make specific suggestions as to how these difficulties may be met.

On the basis of the governments' replies, the Office will prepare a second report summarising the views expressed and indicating the principal points that require consideration by the Conference.

In accordance with article 39(1) of the Standing Orders of the Conference, the present preliminary report is being circulated so as to reach governments not less

[1] OECD: *Continuing Training and Education during Working Life*, Papers for an International Conference, Copenhagen, 1970 (Paris, OECD, 1971).

[2] For the report of the Meeting see Appendix I.

than twelve months before the opening of the 58th Session of the Conference in 1973. In order that the Office may have time to examine the replies and to prepare and dispatch the second report, which, in accordance with article 39(3) of the Standing Orders, must be sent to governments not later than four months before the opening of the 58th Session of the Conference, governments are requested to send their replies so as to reach the Office in Geneva not later than 30 September 1972.

In this connection the attention of governments is drawn to the recommendation addressed to them by the Governing Body at its 183rd Session in June 1971, on the basis of the resolution concerning the strengthening of tripartism in the over-all activities of the International Labour Organisation, adopted by the Conference at its 56th Session, " that they consult the most representative organisations of employers and workers before they finalise replies to ILO questionnaires relating to items on the agenda of sessions of the General Conference ". Governments are requested to indicate in their replies which organisations have been so consulted. It is assumed that the results of the consultation will be reflected in the government's reply ; under the Standing Orders of the Conference only replies of governments are taken into account in the preparation of the subsequent report.

CHAPTER 1

BACKGROUND AND PURPOSES

The preamble to the resolution concerning paid educational leave, adopted by the International Labour Conference at its 49th (1965) Session, notes " that the development of modern society, which is largely conditioned by scientific and technological progress, calls for new and ever-widening knowledge which cannot be provided solely through initial general schooling and vocational training ". The preamble also stresses the desirability of promoting appropriate continuing education to meet new occupational and general educational needs and underlines the importance of developing and encouraging new forms of further education.

Paid educational leave is thus intended to provide opportunities of education for growing numbers of persons already in employment—and while they remain in employment—in order that they may be better equipped to meet the demands of technological change, to improve their chances of promotion and social advancement and to participate in the economic and social life of their workplace and the community at large. UNESCO and certain other international and regional organisations that are concerned with education for people throughout their working lives—lifelong education—envisage paid educational leave in the same light. In the present report, therefore, paid educational leave is conceived of as freeing wage earners and salaried employees for various educational purposes during their normal working time, for specified periods and without loss of income, such leave being granted under statutory provisions, collective agreements or some other type of arrangement.

Leave for Vocational Training

The whole concept of vocational training (and of training in general) has evolved considerably in recent years. This is due to a number of factors. In the first place, rapid and continuing technological change means that occupational content and the barriers between individual occupations are evolving continuously, traditional occupations are disappearing and new ones emerging. Work has often to be performed in different conditions, and requires different skills and knowledge than in the past. It frequently demands a higher level of general education and a broader range both of technical knowledge and of practical skills and, in many cases, of functional skills. More people require education, knowledge and skills than before ; and, moreover, the skills and knowledge required are themselves evolving as occupational change continues.

There has also been increased recognition that training is a vital tool in economic and social development, in both industrialised and industrialising countries. In the former, for instance, adult training is to a growing extent being employed as a means of implementing active manpower policies, whereas in the past it tended to concentrate more on remedial action. In industrialising countries, high priority is being given to training within the framework of the drive towards economic and social development.

The change in the concept of vocational training has also been affected by new social ideas and policies. The principle of equality of opportunity has been accepted, with its corollary that every individual should be enabled to develop his potential and make his maximum contribution to the economic and social life of the community, as well as live in satisfactory conditions.

The implications of these various developments for vocational training have been far-reaching. They have meant, in particular: that the training an individual has or receives when entering the labour force is no longer sufficient to meet his needs and those of his job throughout his working life; that training must be available for all, according to their requirements; that training must be given with maximum efficiency and must be planned and organised systematically in direct co-ordination with employment opportunities and requirements, and given by staff trained for the purpose and using modern teaching methods and aids; that initial training must provide the necessary broad adaptability to future occupational change as well as inculcating the skills and knowledge required for employment; that comprehensive provision must be made for highly flexible further training to meet new needs as they arise—for upgrading, updating, retraining, promotion, etc.; and that a special effort must be made to overcome the generation gap which is developing between young, well-educated and well-trained new entrants to the labour force and the many workers already in employment who have not had an opportunity of acquiring a sound general education and adequate technical knowledge and skills.

The concept of training on these lines has come to be generally accepted and there is a steady move towards putting it into practical effect. In recent years a number of countries have taken action to review and reorganise their training systems accordingly. The various approaches which are being adopted, such as training by stages and modular or block techniques, are based on the principle of providing recurrent training as necessary after initial training, with the implication that release from work will be required for this purpose.

Leave for General Education

The concept of recurrent training throughout working life is also gaining ground as regards general education, and the two systems—education and training—are becoming integrated into one continuous process. While the process commences with general education, which provides the basis for subsequent training, general education also accompanies and forms part of training action, complementing and

reinforcing it as necessary. It is already very difficult in many cases to distinguish between the two.

There has been a growing realisation that education is a preparation for life in the widest sense and must take account of the need for a sound general education, for a " technical approach " to life, for vocational orientation and guidance, for the provision of information on the world of work and on the economic and social structure of the community for young people while still at school. Education must also be available as required during working life. Systems of general education are therefore at present undergoing a process rather similar to that in which vocational training systems are now engaged. They are being reviewed, replanned and reorganised, as considered appropriate, from the viewpoint of their suitability for modern economic and social conditions, adaptability to change, and maximum efficiency and effectiveness in the light of modern teaching techniques, equipment and aids and the availability of better-trained teachers and of better facilities in general. Several countries have recently reorganised their education systems to provide for lifelong education on a recurring basis, as necessary.

The action being taken is inspired by the principle of equal opportunity for all : there is a trend towards providing a longer period of compulsory schooling and towards eliminating—both during this period and subsequently—rigid compartmentalisation into academic and vocationally-oriented streams. In a number of countries, for instance, steps are being taken to enable secondary-school pupils both to complete general secondary education and to acquire an occupational qualification during the same period. It is also becoming common for all general education to include some vocational elements, not with the aim of providing training in occupational skills but of familiarising pupils with the implications and conditions of working life.

Orientation streams are now compulsory in a number of education systems, the aim being to enable all children to acquire a wide variety of experience in different lines of general education and in a variety of occupational fields and thus to help them to choose the field of education or training in which they wish to continue and, possibly, to make a preliminary choice of their future work. The arrangements may include provision for pupils in such streams (and in others) to spend practice periods in undertakings, in order to see for themselves the type of work involved and the conditions in which it is performed.

These trends are apparent in both industrialising and industrialised countries alike. The former are faced with particularly acute problems, however, because they are frequently not yet in a position to provide general education for all their school-age children, let alone for the many adults who have not had an opportunity to acquire even a bare minimum of general education. Moreover, there is quite a high drop-out rate among those children who have an opportunity to attend school but who may be obliged, for family reasons, to accept without question any paid work offered them. Again, the education itself may be ill-adapted to the conditions in the countries concerned ; many developing countries are reviewing their education systems with particular regard to this aspect.

As a result of the improvement in educational systems in recent years and of the changes which have occurred in work requirements, even adults in highly industrialised countries may require a higher level of general education than they currently possess. They are often at a disadvantage as compared with younger, better-educated members of the labour force, and many schemes of further training therefore include courses of general education. Other steps have also been taken to improve the educational level of adult workers, such as the institution of " universities of the air " and open universities. However, there is clearly a need for more comprehensive action.

This generation gap is even more serious in developing countries, despite the considerable efforts by governments to organise mass educational action. In many cases such action has concentrated largely on literacy programmes, sometimes work-oriented, but much still needs to be done to raise the educational standards of the large numbers who have had a little but not enough general education.

Leave for Trade Union Education

The International Development Strategy adopted by the United Nations General Assembly for the Second Development Decade stresses the importance of popular participation and mobilisation of public opinion for development. Social institutions such as trade unions and co-operatives are vital for economic and social development but they cannot be fully effective without adequate training of workers and their representatives in the field of labour, social and economic affairs.

Trade unions attach great importance to the information of their members and the training of their leaders, in order that they may function as competent, democratic and representative organisations fully able to defend workers' rights and assume workers' responsibilities. Employers and their organisations have also come to realise, in the processes of labour-management relations, collective bargaining or grievance settlement for instance, that it is in the common interest of both parties that the dialogue be conducted by well-informed and well-trained representatives from both sides. In addition, in many countries public authorities now practise a policy of promoting the meaningful participation of workers in the various economic and social processes, at both the planning and the implementation stages; here again it is essential that the workers' representatives be fully competent for the purpose of such participation, and special and sustained efforts are called for in order for them to acquire adequate knowledge and maintain it up to date.

When they met in May 1971, the ILO Consultants on Workers' Education stressed the need for the ILO to take action aimed at generalising the provision of paid educational leave. The importance of workers' education for economic and social development, coupled with the limited resources of many trade unions, make this particularly necessary in order to meet the educational needs of workers and their representatives. International standards on paid educational leave would be incomplete without reference to the workers' education aspect.

CHAPTER II

EXAMPLES OF NATIONAL PRACTICE

LEGISLATIVE PROVISIONS

Vocational Training

Developments in training requirements and in vocational training organisation have given rise in several countries to new legislation designed to facilitate greater access to appropriate vocational training, including further training (retraining, updating, upgrading, etc.), by the working population. Nevertheless, it is still rare to find legislation of general coverage entitling workers to paid leave to follow training courses while still retaining their usual employment. It is true that in several countries legislation provides for paid leave for certain categories of employed persons, particularly young persons, public servants and teachers, and that other countries have fairly recently introduced legislation under which training programmes of different kinds, covering various occupations, have been set up: retraining; advanced training; accelerated training; refresher courses, and so on. While not making any reference to paid educational leave for vocational training as such, these laws implicitly affirm the right to such leave. But many of these training programmes are intended for workers who have become redundant and must be absorbed into new industries, or for those who have voluntarily decided to take up a new occupation. There are only a few countries whose legislation makes provision for workers to take time off from their normal employment, with full maintenance of wages or salary and of various other rights relating to seniority, pensions, insurance and so on. Moreover, national law and practice with regard to training differ considerably from one country to another, which makes a meaningful comparison difficult.

Thus, in France the Act of 16 July 1971, to organise continuing vocational training as part of lifelong education, repeals previous legislation on vocational training policy and on the remuneration of persons undergoing vocational training, adopted in 1966 and 1968 respectively. The new Act establishes the principle of continuing vocational training as an integral part of lifelong education, such training consisting of initial and further training for adults and young persons who are in, or about to enter, employment. Its stated purpose is to enable workers to adapt to changes in techniques and in conditions of work and to promote their social advancement and participation in cultural, economic and social development.

In the United Kingdom training has legislative backing through the Industrial Training Act of 1964. The Act provides for the creation of industrial training boards for different branches of economic activity, with the exception of some nationalised industries and of government service. Since 1964, 29 training boards have been set up covering over 15 million employees in about 1 million undertakings. The boards provide or arrange courses and other facilities for the training of persons employed or aiming at employment in the various occupational sectors. They are also called upon to make recommendations with regard to the nature and length of training as well as to the further education to be associated with the training, the persons by and to whom the training ought to be given, the standards to be attained as a result of the training and the methods of ascertaining whether these standards have in fact been attained. Furthermore, the boards contribute in various ways to management education. They publish recommendations on management training and development and almost all of them give grants for this purpose. Some boards directly provide management training courses, thus ensuring industry-related training.

In both Denmark and Canada legislation passed in 1960 and 1967 respectively provides for the initial training and retraining of employed workers as well as of unemployed persons seeking employment. In the Federal Republic of Germany legislation adopted in 1969 includes three Acts respecting vocational training, training promotion and employment promotion; each Act contains measures which come close to paid educational leave (though not establishing it as a right), in that they apply to persons in employment undergoing training and having interrupted their employment to acquire further training.

In several countries of Eastern Europe legislation of general coverage establishes the right of both manual and non-manual workers in all occupations to time off with pay to attend vocational training courses. For instance, in Czechoslovakia, under the terms of a Government Notification of 1961, workers who are pursuing their studies in approved educational institutions, concurrently with employment, are entitled to certain concessions at work and to certain financial guarantees. The concessions consist of reductions in normal hours of work and paid leave for the purpose of preparing and sitting for examinations, but apply only to workers who have been recommended for such courses by the establishment in which they work and by its trade union organisation.

In Poland legislative provisions for paid vocational training leave are laid down in various orders, decrees and resolutions issued by different government authorities. These provisions apply, as a rule, to specific categories of workers, to certain types of training or to particular educational or vocational institutions. Thus, according to a resolution of the Council of Ministers of 1965, further training is made compulsory for certain types of workers, for example those employed in branches of economic activity where rapid technological change makes it particularly important for them to acquire a wider range of skills and knowledge.

According to an Act adopted in Romania in 1971, further training for workers at all levels—from senior management staff to production operatives—is to be

provided in socialist organisations and undertakings, in government ministries and departments and other public bodies, in training centres and other educational establishments for all sectors of the economy. Further training (both full- and part-time) is provided by courses, on-the-job training, periods of organised practical training or specialisation within the worker's own undertaking or at another organisation or undertaking (either within the country or abroad), individual training programmes, specialised training centres or further education institutions, including institutes for postgraduate study. Further training may be organised as a continuous period of training or in a series of recurrent periods. The Act makes it compulsory for all public bodies, organisations and undertakings to provide further training for their personnel. In turn, it is compulsory for workers to participate in further training in order to broaden their knowledge and to raise the level of their skills. Management and assimilated supervisory and technical staff are required to ensure that the personnel working under them have access to further training on a continuing basis.

Paid educational leave in the USSR is covered in general terms by Act No. 2-VIII of the Supreme Soviet of the USSR, adopted in July 1970, laying down fundamental principles governing labour legislation. According to the Act, manual and non-manual workers following industrial training or study courses at educational, technical or vocational institutions while still at work are provided by the management with the facilities necessary to enable them to combine work and study. Paid educational leave for managerial, technical and scientific personnel in the USSR has been regulated by various orders since 1959. To give a few examples, such leave is granted to engineering students of the higher technical institutes established at a number of industrial undertakings, to managerial personnel of state farms who have taken advanced training courses and to physicians following refresher and advanced study programmes. Similar provisions exist for pharmaceutical personnel.

In the developing countries there are few examples of legislative provisions which entitle adult workers to take a vocational training course concurrently with their normal employment, with full maintenance of wages or equivalent allowances. Latin American countries, however, constitute an exception to this general statement, and, although the statutory obligations in respect of the training of adult workers are limited in scope, they are frequently expanded in collective agreements, as will be seen in a later section. The Mexican Federal Labour Act of 1969 requires undertakings employing at least 100 workers to make suitable provision, at their own expense, for the technical or practical training of a specified number of workers or of children of workers. On the termination of their course of study, the trainees must work for at least one year in the undertaking which paid their training grant. Furthermore, under this Act, employers are obliged to organise permanent or periodic vocational training or advanced training courses for their workers. Such courses may be established in individual undertakings or jointly by several firms. Somewhat similar provisions are contained in the Labour Codes of Colombia, Ecuador and Venezuela.

Finally, among African countries, Zambia's Technical Education and Vocational Training Act of 1970 was adopted to provide for the promotion, improvement and financing of services and facilities relating to technical education and vocational training. The Act establishes a Commission for this purpose whose functions include providing employers with facilities of this type for the training of persons already in employment and paying allowances or awarding grants to persons receiving instruction at any institution. The Commission also arranges for suitable persons to receive the required instruction abroad.

In respect of the public service, it is now generally recognised that training should continue throughout most of the career of civil servants, whether in the form of retraining or of further training, to strengthen and broaden their knowledge and to keep them up to date on recent developments and techniques. Therefore, in a number of countries provisions exist in the legislation for civil servants to take leave for educational and study purposes. In the United States the Government Employees' Training Act and various civil service regulations provide for the payment of salaries or compensation to employees undergoing training considered necessary for the performance of their official duties. The principle of paid educational leave is recognised by law in Switzerland in respect of public servants in the federal administration, but only when the training course is in the interests of the service; unpaid leave may be granted when training is in the interests of the employee but likely to be of advantage to the administration also. In France preselected civil servants and other government and local authority employees under 30 years of age, with more than five years' service, are granted financial assistance by their administration to attend a full-time course in preparation for the competitive entrance examination of the National School of Administration. In the Federal Republic of Germany, according to an Order of 1965, federal civil servants and judges may be granted paid leave to attend lectures, scientific meetings, seminars and study courses and to sit for examinations after courses of training or further training. The duration of such leave varies from six to twelve working days per year. Under the same Order, public servants may be granted paid leave of up to three months to attend language courses held abroad. Similar regulations providing for special leave for educational and vocational training exist at the state *(Land)* and local levels. In Ghana a civil service general order makes provision for paid educational leave for senior staff as well as for junior staff: tuition fees are paid by the Government and trainees are entitled to their usual salary until the termination of the prescribed course of instruction.

In other countries where leave for educational or vocational purposes is not a legal right, there are administrative rules governing leave entitlements or concessions of this kind granted to civil servants. Thus in Norway and Sweden the usual practice is to grant public servants educational leave at full pay on condition that the study courses followed are of particular importance to their employment. Leave with pay for training or study courses is also provided for in countries such as the Dominican Republic (for an approved course of study), Niger (for a period of one month), Panama (on half pay), Senegal and Uganda. In Zambia study leave is

granted to permanent staff only at a rate of pay determined on an ad hoc basis and provided such study is in the public interest; beneficiaries must undertake to return to work for an agreed period.

Under the rules relating to external training and further education, in force since 1967, arrangements in the United Kingdom civil service provide for all training considered necessary for official purposes to be undertaken on the same terms as apply to other forms of official business, viz. training in official time, normal salary and appropriate allowances, with fees paid and 50 per cent of the cost of books. Civil service departments may also give assistance to staff wishing to follow courses in approved subjects or, under certain conditions, in other subjects, leading to a recognised educational or professional qualification.

General and Civic Education

In many countries, if there is any legislation at all relating to general education for workers, it applies only to young workers up to the age of 18. Apprenticeship programmes, often set up to meet legislative requirements, are, of course, widespread and such programmes, in addition to their purely vocational aspects, often contain a certain element of general education. Moreover, apart from apprenticeship training, a fairly large number of countries, particularly in Western Europe and to some extent in Latin America, have arrangements—in conformity with legislative requirements for the further education of young workers up to the age of 18—whereby such workers are released on one or more days each week (on full pay) to attend courses of general education.

Relatively few countries, however, have enacted legislation providing for leave for adult workers to take general education courses. Mention has been made of legislative provisions in certain countries of Eastern Europe which entitle workers to different forms of leave for the purpose of attending vocational training courses. Rather similar provisions apply also in the field of general education and cover all workers without distinction as to age.

Legislation adopted in France in 1971 concerning the organisation of continuing vocational training as part of lifelong education makes provision for the granting of leave to wage earners in order to improve their general education in relation to employment.

In the Federal Republic of Germany the Training Promotion Act mentioned previously makes provision for the general education of persons under 35 years of age; in certain circumstances this age limit may be waived. In addition to attendance at vocational training institutions and technical schools, assistance from public funds—subject to certain conditions—is available for attendance at institutions of the "second channel to higher education", such as evening schools and colleges and courses of further education. The law does not, however, provide for any leave to be granted for study purposes. Release for study during working hours therefore depends on arrangements made within undertakings.

However, at the state *(Land)* level there is legislation providing for leave for social, civic, political and cultural studies. For example, an Act adopted in Berlin

in 1970 provides for the release during working hours of workers under 21 years of age who wish to follow recognised courses designed to further their social or political education. Leave with pay for this purpose can be claimed for up to a maximum of ten days per year. This leave is granted, however, on condition that the courses are organised by recognised bodies concerned with youth and adult education, such as educational establishments coming under the local authorities, democratic political parties or workers' and employers' organisations. The Act provides that the leave may be refused if the aims of the organisers or the programmes are not in accordance with the Constitution of Berlin.

Another aspect of educational leave dealt with by legislation in certain countries is training for participation or leadership in certain types of social activities. Although such legislation applies mainly to young people, the age level is on occasion set high enough to include persons well over 18. For example, in France a law which came into force in 1961 provides for unpaid leave for wage earners and apprentices under 25 years of age to encourage them to train as youth leaders. Courses are organised by officially approved bodies and trainees can apply to the Secretariat of State for Youth and Sport for grants to compensate for loss of remuneration. The leave amounts to six working days a year, to be taken in one or two periods and does not affect holidays or other rights. The legislation also stipulates the number of trainees in relation to the number of workers in each establishment. Exceptionally, workers over 25 years of age can apply to take part in training courses at a high level.

In the Federal Republic of Germany adult employees in the public service and young people are legally entitled to special leave to attend courses in civic and social education ; the leave is partly financed by the public authorities. In Belgium young workers who participate in social training courses organised by the youth sections of trade unions as well as by other bodies are entitled by law to an allowance up to a maximum of 1,200 Belgian francs in any one year.

Trade Union Studies

The practice of granting paid educational leave to workers in order to enable them to participate in trade union studies seems, in most countries, to be a comparatively recent development ; indeed, the introduction of educational courses in labour subjects for trade unionists is itself of quite recent origin. It is therefore not surprising that relatively few countries so far have accorded workers a legal right to leave for such education ; new legislation to this effect, however, is being introduced in a growing number of countries.

Thus in Austria recent amendments to the 1947 Act relating to works councils extend the rights of members of works councils to paid educational leave. Release during working hours, on full pay, is granted for participation in training courses and programmes organised by the workers' or employers' organisations entitled to conclude collective agreements or by bodies which are recognised and approved by these organisations. Although educational leave does not affect the length of annual

holidays, the time spent on such leave is deducted from the complete working year in the calculation of the holiday gratuity.

In Poland, under an Order of 1954, paid leave may be granted to workers attending full-time trade union training courses provided that they have been nominated for these courses either by provincial trade union organisations (for courses lasting not more than one month) or by central trade union bodies (for courses of longer duration); participation must also be approved by the employer, so as not to disrupt the normal working of the undertaking.

In the USSR there are no special legislative provisions of general coverage respecting paid educational leave for workers following trade union courses. As a rule, these courses are organised for members of factory and local committees and active members of trade unions in their free time.

In a number of countries, however, the legal right to leave for labour education and trade union training is extended to all categories of workers and employees. Although in most cases this leave is unpaid, loss of earnings is usually compensated by the trade unions, by trade-union-sponsored institutions or, occasionally, by the public authorities.

Legislation adopted in France in 1957 applies to employees and apprentices in the public and private sectors, who are entitled to a period of unpaid leave, amounting to twelve working days a year, which may be taken in one or two parts. The leave, although unpaid, counts as actual working time for the calculation of paid annual leave, family benefits, seniority and other rights. The legislation limits the number of persons in each undertaking entitled to study leave according to a graduated scale, rising from 1 beneficiary in undertakings employing up to 20 persons to 13 in those employing up to 250 persons. In undertakings employing more than 250 employees, leave may be granted to as many persons as there are workers' representatives or substitute representatives in the undertaking.

In Belgium the Act of 1963 respecting social advancement provides for the payment of an allowance to young workers (between 16 and 26 years of age) taking part in social training courses (including labour education and trade union subjects) organised by youth and workers' organisations. The Act thus relates to the training of both trade unionists and youth leaders. The courses must be organised by a youth organisation approved by the Minister of Employment and Labour, by one of the three major trade union organisations or by one or more of these organisations in collaboration with the employers.

Legislation similar to the above-mentioned French legislation of 1957 is in force in Algeria. Three other countries in the African region also have fairly recent legislation in this field, namely the Congo, Madagascar and Mauritania.

Other Arrangements

Vocational Training

In a number of countries, including those whose legislation provides for paid educational leave, time off for the purpose of following vocational training courses

is sometimes granted under the provisions of collective agreements or under informal arrangements made in a particular establishment. However, the numbers of workers affected by such agreements and arrangements, as well as the conditions under which paid leave is granted, vary considerably from country to country and even within countries.

In France there have been in operation for some time past a number of collective agreements providing that, in order to meet the requirements imposed by technological progress, workers are to be afforded opportunities to follow advanced training courses either inside or outside the undertaking; if the training is considered to be essential, it is made compulsory and working time lost is fully remunerated. For many workers these and similar provisions were superseded by the negotiation, in July 1970, of a national inter-occupational agreement on initial and further training between the National Council of French Employers, the General Confederation of Small and Medium-sized Undertakings and all the major workers' organisations. The agreement, which provides for various types of training at skilled and semi-skilled levels and covers nearly 10 million workers, does not apply, however, to those employed in sectors not represented on the National Council of Employers, e.g. agriculture and the hotel trades. Those industries which declined to sign the agreement (such as the leather, clothing and furniture industries) and those which postponed a decision on the matter, remain outside the scope of the agreement. This agreement contains, moreover, provisions applicable to workers about to lose their jobs as a result of large-scale dismissals and which entitle them to leave of absence to attend a training course of their choice while serving their notice, with their remuneration remaining unchanged.

Under collective agreements entered into by joint worker/management committees in Belgium, facilities for paid leave for vocational training are granted to workers in various industries. Most of these facilities, however, apply to workers under 21 years of age.

In the Federal Republic of Germany the legislative provisions respecting vocational training are, as a rule, supplemented by a variety of arrangements within individual undertakings, either provided for in collective agreements or made on an informal basis.

In Italy a large number of the more important collective agreements in the chemical, pharmaceutical, metal, rubber, petroleum, graphics, paper, plastics and glass industries include various kinds of arrangements for vocational training and often for general education as well. Such arrangements cover leave (with pay, under some of the more recent agreements) to sit for examinations, time off—with or without pay—to follow courses, special work schedules to permit attendance at courses and, on request, exemption from overtime or work on weekly rest days. In addition, some agreements provide for periods of absence, unpaid but not counted as interruptions of service for seniority purposes, to follow courses or to prepare for examinations.

In the United Kingdom just under 4 million workers are reported to be covered by arrangements—either formal or informal—within undertakings for paid leave

for vocational training. In respect of a large proportion of these workers, the arrangements concern only young workers under 18 years of age or apprentices, while in certain industries the arrangements are very limited. Nevertheless, for over 1.5 million workers, the leave provisions are fairly comprehensive.

In Sweden collective agreements in the private sector normally provide that the employer must pay a trainee his full salary while on study leave, if he has been sent on a course by the firm, either inside or outside the undertaking. For training undertaken voluntarily, agreement on the conditions of the leave is reached on an ad hoc basis according to the potential value to the employer of the training in question. In Norway, too, grants are often given to trainees if the training would be in the interests of the firm. A number of collective agreements in Switzerland provide for special leave to enable employees to follow training courses ; in each case, the employer decides whether or not the leave will be paid.

Several collective agreements in various branches of both industry and commerce in Ghana include provision to the effect that when employees take a course at a recognised educational establishment for which time off is required, the employer will grant the necessary leave with pay and will bear the cost of the course ; the management also undertakes to consider applications to attend such courses from employees who have not been selected initially.

In a number of Latin American countries the conditions governing paid leave for technical training are laid down in collective agreements. In Mexico, for example, where according to the Labour Code employers are obliged to grant paid training leave to a fixed number of workers, depending on the type of the undertaking, collective agreements provide for additional workers to take leave. Similar agreements are in force in various industries in a number of other Latin American countries.

The granting of time off to prepare and sit for examinations has already been mentioned in connection with legislation concerning leave for vocational training in countries in Eastern Europe. In certain other countries as well, workers are sometimes accorded leave for this purpose under the terms of collective agreements. This is, for instance, the case in Belgium, where some collective agreements—both at the national level and at the level of the undertaking—provide for paid leave for employees to sit for examinations related to the courses they are following. Leave on full pay to sit for examinations, plus a certain number of days for preparation, may be granted to employees in the lower grades of the civil service in Norway. In several Latin American countries collective agreements provide for time off on full pay to enable workers to sit for examinations connected with training courses they have been following in their own time. This practice is particularly common in Argentina.

Managerial and Technical Training

The last three decades have witnessed a growing emphasis on management training for all levels of personnel, from board chairmen to shop-floor supervisors, and for all types of organisations, public and private, commercial and governmental. This rapid expansion of management development activities is due to a number

of factors: the growing complexity of organisations in terms of goals and objectives; the increasing influence of external factors on the operation of the enterprise (such as environment, government policy, international trade, etc.) and the need for corresponding adjustment of internal structures; the rapid development of technology and the need for up-to-date information on innovations; the importance of long-term strategic planning with regard to effective utilisation of resources (including human resources) and future growth opportunities.

For years managers have received the bulk of their training through on-the-job experience. Now, however, in management selection greater value is being placed on education, as denoted by the current trend towards appointing more university and technical college graduates to managerial posts. But the young graduate needs experience as much as the experienced skilled supervisor—if he is to be upgraded—needs additional management education.

Certain recent developments, such as the increasing mobility of managerial staff, the development of new management techniques in decision-making and the growing recognition of management as a profession, have also helped to promote the view that formal management training is an essential complement to on-the-job training. Increasingly, management training programmes are falling within the general framework of self-development and permanent education. Particularly in the more advanced countries, where a great variety of such programmes is in operation, further training in management is considered not only as a right for members of the managerial staff but also as a necessary and profitable investment for the future development of the organisation.

The period of training will vary depending on whether managers are required to attend full- or part-time programmes. Some full-time courses are as long as an academic year, combining a residential course with training periods within industry. In general, the higher the level of management, the shorter the period of training, so that in the case of top executives, training may take the form of short seminars where managers exchange experiences on particular issues or problems.

It may sometimes be difficult to classify such training activities as educational leave. In fact, in many cases, they tend less and less to be considered as leave but as a part or an extension of the normal duties of management staff.

Thus, in the United States, programmes of paid educational leave for management personnel have been widespread for a number of years. With increasing recognition that the expansion, and often the survival, of companies and undertakings may depend on investments made in staff training, educational and training facilities have become highly diversified. American industry offers fellowships which, for example in one big oil company, allow persons at management level to study for a higher degree in an area of interest to the firm. These fellowships represent a form of educational leave with full salary. In a growing number of companies courses are given at the workplace and during working hours by instructors from universities—which seems to indicate a trend towards " bringing the school to the factory ". On the other hand, it is still current practice in some large companies to send staff to business schools and to pay their salary during training.

Higher-level management personnel are also granted leave for studies other than those relating strictly to management techniques. For instance, several companies assist upper-level staff members to advance in their professions by granting them leave in order that they may acquire higher academic qualifications, not only in a specialised field but also in the " humanities ", often with the object of turning specialists into generalists. In key sectors such as electronics, where rapid obsolescence of technical knowledge and skills is a special problem, further training of technicians tends to become a lifelong process. In some undertakings of this sector, 25 to 50 per cent of the staff at a time have constantly to be released to undergo further training. Many firms have adopted combined workstudy schemes which enable engineers and technicians to follow courses at local universities. This " sandwich training "—with alternating periods of extensive study and periods of work in the undertaking—is sometimes spread over several years. Other firms have set up their own technical management institutes and their own business schools. Programmes in these company-owned institutes are occasionally organised jointly with a local university to enable staff members to follow degree courses.

In the Federal Republic of Germany, with the extension in recent years of training facilities provided by private individuals, occupational organisations and undertakings, the number of persons attending management education and technical training courses while continuing to receive their salaries has grown considerably. Many industrial and commercial firms, as well as chambers of commerce and industry, have set up their own training centres or jointly subsidise institutes providing management, supervisory and technical training at various levels. Many inter-firm training schemes have been set up by industry to enable staff members of small and medium-sized undertakings to update their knowledge and skills.

In Belgium the training of executives is undertaken by the Industry-University Foundation, established in 1955, and by the five university centres which collaborate with it. One of the aims of the courses is to provide a meeting place for executives having similar responsibilities but in different fields. In addition, the Belgian Office for Increased Productivity is carrying out programmes of specialised training in various sectors. Training within industry is widely used for supervisors and is also employed to some extent for management. None of these training schemes entails any loss of wages for beneficiaries.

In the United Kingdom management education is expanding, particularly in the larger and medium-sized companies. According to a recent study [1], almost half of all companies surveyed have management development schemes involving attendance at external courses. Nearly all of the large companies, about one-half of medium-sized companies and about one-third of the small firms release managers for internal courses. Full-time training has also become more widespread, particularly in the form of short courses.

[1] H. B. Rose: " The Resource Gap in Management Education ", in *Management Education in the 1970s* (British Institute of Management, 1970), pp. 7-11; see also J. Lynch: " The Impact of the Industrial Training Act on Management Education ", in ibid., pp. 23-25.

In France, under a 1971 supplement to the national inter-occupational agreement on initial and further training of 1970, management staff, engineers, technicians and foremen can follow not only training courses to acquire, refresh or bring up to date basic skills and knowledge or to extend them, but also courses of general education likely to further the participant's occupational skills. Furthermore, they are entitled to leave for training purposes, not only in the event of mass dismissals, as stipulated by the original agreement, but also in that of individual redundancy as a result of a plant merger, takeover or reorganisation. The proportion of workers absent from an undertaking for training which, in the original agreement, may not exceed 2 per cent of the total number of employees, is raised to 3 per cent as regards the categories of staff mentioned above.

Members of this category of employees wishing to do part- or full-time teaching or instruction can take leave of absence without pay for a period not exceeding one year. If they wish to leave the undertaking in order to teach for a period of more than one year and less than five years, special provision may be made. In this case, they will have priority of re-employment ; if the absence is for less than two years and re-employment is—despite their priority—not possible, they are entitled to the benefits provided for in the collective agreement.

Throughout the developing countries, particularly those which have acceded to independence in recent years, there is a great scarcity of experienced managerial and technical personnel at all levels. Increasing efforts are being made to correct this deficiency. In Africa, for example, apart from the large companies which provide technical and managerial training programmes on an in-service basis, several countries have organised management associations which, through conferences, seminars, training courses, workshops, and other means, improve the skills and knowledge of managerial staff in industrial undertakings and commercial establishments.

In a number of developing countries there are schemes of various kinds for the upgrading of skilled workers by means of technical training. To mention one example, the skilled worker upgrading scheme operated by the Central Institute of Plastics Engineering and Tools in Madras, India, provides training for the upgrading of artisans, generally machinists. The majority of trainees are sponsored by their employers, who pay them a stipend during their training, which lasts two years.

Finally, there is one occupational sector in which paid educational leave seems to be frequent, namely the mercantile marine. The nature of the calling, of course, makes some leave periods essential : officers advance in their careers step by step over a period of years, through both practical experience and theoretical studies, with qualifying examinations at various stages. In the different countries various measures are taken to assist trainees in meeting the cost of attendance at courses : scholarships, study loans or grants, for instance, financed by governments or shipowners, or by both as is the practice in Denmark, France, the Federal Republic of Germany, Hong Kong and Sweden.

Teacher Training

In the teaching profession a variety of arrangements exist for the further education of teachers in order to enable them to keep up to date with their subjects and new teaching methods and to improve their qualifications.[1] As participation in further training programmes is optional in most countries, the central or local educational authorities offer leave of absence on full salary and, if necessary, travelling and subsistence allowances, with a view to encouraging such participation. A few examples will serve to show the type of provision made in various countries. In Switzerland study leave is granted in some cantons to teachers with a certain number of years of service. Teachers in Belgium can avail themselves of short periods of paid study leave and also unpaid leave for research or participation in trips abroad under teachers' exchange programmes. More precisely defined rights are accorded under the legislation in Argentina, where a teacher is entitled to one year's paid leave for each ten years' service in order to broaden his knowledge. In Guatemala there is legislative provision for the award of fellowships (on full pay) for study abroad. In Iraq primary schoolteachers seeking a university degree may be allowed four years' study leave on half pay ; while in Cyprus study leave is granted to teachers, with pay if the teacher is selected for additional training by the authorities and without pay if the leave is accorded at the teacher's request. In Singapore teachers may be granted up to six months' leave on half pay to undertake further studies. The practice of according sabbatical leave on full salary to university teachers is becoming widespread, particularly in the United States and Canada. At the same time, in these and certain other countries, leave without pay for further study or for research purposes is granted by universities to their teaching staff, whose subsistence costs are frequently covered by fellowships from other sources.

General Adult Education

Little information is available on the extent to which paid leave is granted for general education in countries where there is no legislation on the matter. Relatively few collective agreements contain clauses dealing specifically with leave for such studies—apart from those already mentioned in the preceding section relating to courses which might contain elements of both vocational and general education.

While the adult education system in the Scandinavian countries offers comprehensive educational facilities, such as the " Folk High Schools ", it does not automatically confer the right to educational leave. The right seems to be a *de facto* rather than a *de jure* one.[2] Employers are reported to be increasingly disposed to grant leave and in some cases they also offer financial assistance. For example, in

[1] ILO/UNESCO: *Final Report*, Joint ILO/UNESCO Committee of Experts on the Application of the Recommendation concerning the Status of Teachers, Second Session (Paris, 27 Apr.-8 May 1970), Chapter III: " Further Education for Teachers " (document CEART/II/1970/4).

[2] R. Crummenerl and G. Dermine: *Educational Leave, a Key Factor of Permanent Education and Social Advancement*, op. cit., p. 87.

Norway, according to the Basic Agreement concluded in 1970 between the trade unions (LO) and the Norwegian Employers' Confederation (NAF), both parties recognise the importance of increased education, both general and vocational, for the individual, for the undertaking and for society. Undertakings are therefore called upon to grant leave of absence for educational and training purposes unless special circumstances prevent it. Provisions that cover vocational training apply to some extent to general education. Thus, in Sweden, a number of pilot schemes aimed at providing some general education together with employment-oriented skill training have recently been implemented in several training districts. These schemes are designed in particular for those members of the older generation who have had relatively little schooling (six or seven years' attendance at primary school) and who therefore run the greatest risk of becoming unemployed.

In the United Kingdom in recent years there has been a rapid growth of day release and other general education courses for industrial workers.[1] Local education authorities, universities providing extra-mural education, the Workers' Educational Association (WEA—the major voluntary organisation in British adult education), as well the Trades Union Congress and many technical colleges, are actively engaged in this field. Adult education has been greatly enhanced by the extension of the system of day-release courses. These are courses held during working hours and over the whole or part of the working day; the participants' wages are paid by their employers. Among these are so-called "open" day-release courses, usually organised in association with a firm or group of firms, or with an industry as in the case of the nationalised coal mining industry. Day-release courses are usually held one day each week over periods of up to thirty weeks. In some cases they extend over more than one academic session.

A recent development in the United Kingdom is the creation of the "Open University", which offers the opportunity of education at university level to large numbers of people by means of televised courses combined with residential courses during the summer. The Open University caters in particular for people who left school early and took jobs or for whom there were no places at university, as well as for people whose interest in higher education developed relatively late in life. Though students can follow the courses in their own homes, time off is needed to attend a residential summer school for up to a fortnight. It is reported that some industrial firms have made arrangements to allow staff leave for this purpose so that workers who are students at summer and weekend schools do not have to forgo all their annual holidays.

So far as developing countries are concerned, collective agreements in force in a number of the larger undertakings in several Latin American countries provide for various measures to encourage workers to improve their educational standards. For example, without granting time off, working hours may be so arranged as to make regular attendance at evening classes possible, and time off with pay may be granted

[1] K. H. Lawson: "Universities and workers' education in Britain", in *International Labour Review* (Geneva, ILO), Vol. 101, No. 1, Jan. 1970, pp. 1-14.

in order to prepare and sit for examinations, as in the case of vocational training courses; some financial assistance may also be given to worker-students, and bonuses awarded on the successful completion of a course.

Literacy Programmes

In the field of general education, mention may also be made of an aspect of the subject which is of particular concern to many developing countries, that of literacy classes. In Guatemala, for instance, the Labour Code requires employers to endeavour by all possible means to ensure that any of their employees who are illiterate learn to read and write. In several other Latin American countries—where there are no legal obligations in the matter—collective agreements frequently include provisions concerning the organisation of literacy classes and the making available by the employer of premises, equipment and qualified staff. The continuance of the literacy classes—which are usually held after working hours—is sometimes made conditional on a certain continued level of attendance; under some agreements the unions give an assurance that they will encourage attendance by their members. Employers in other developing countries also sometimes run literacy classes for illiterate workers. In India, for instance, several of the large undertakings organise such classes after working hours; in addition, labour welfare centres set up either under special statute to serve the workers in a particular industry or by the local authorities to serve all workers in a given area very often run adult education courses and literacy classes which workers may attend in their free time.

In recent years a new approach to literacy has been taken by UNESCO, which emphasises functional rather than basic literacy, that is relating literacy to its practical purposes by combining vocational and literacy training. For example, in an experiment undertaken in Brazil under UNESCO auspices workers participated in the literacy programme for half-an-hour a day during working hours and at full pay. It was found that, throughout the experiment, production at the factory remained the same in spite of the loss of 937 working hours. Workers on a state farm in Mali were selected to attend functional literacy classes for two hours a day, combined with technical training for one hour a week, these periods being counted as working hours. The results showed that the cost of the literacy class (the payment of the teachers and the working time lost) was well compensated by the benefits.[1]

Trade Union Studies

The practice of granting leave for labour study courses is fairly widespread in a number of countries, either under the terms of collective agreements or by informal arrangement. Thus in the Federal Republic of Germany, 118 collective agreements covering some 2.6 million workers provide for some form of paid or unpaid leave for educational purposes, including vocational training and workers' education. Un-

[1] H. M. Phillips: *Literacy and Development* (Paris, UNESCO, 1970), pp. 44-45.

der the terms of about one-third of these agreements, leave for trade union training is available to all categories of workers. In the United Kingdom it seems that, although under collective agreements or through informal arrangements paid leave for trade union studies is available to a greater or lesser extent in various sectors of the economy employing over 3 million persons, for the majority of workers no leave is available. In both collective agreements and under informal arrangements, the entitlement to leave is, in general, restricted to shop stewards and relates to approved courses. In the public sector, although leave may be granted, the trainee is usually required to find a substitute to take his place during his absence; thus the taking of leave can present some problems other than purely of a financial order. In the Scandinavian countries, trade union education is organised by the trade unions themselves or through workers' educational associations. In these countries, as well as in Belgium, France, the Netherlands and Switzerland, many collective agreements contain clauses relating to leave for workers for the purposes of trade union education.

In the United States, collective agreements frequently provide for unpaid leave to attend educational courses as well as meetings, conferences and so on, and trade-union-sponsored educational activities of one kind or another are carried on throughout the year. Several of the large trade unions have for many years had residential labour centres. In 1969 the American Federation of Labor and Congress of Industrial Organisations (AFL-CIO) opened its own Labour Studies Center. Labour education programmes are also provided by a growing number of universities.[1] It is reported that in the planning of these programmes both unions and universities have made considerable efforts to adapt their educational approach to the need for long-term workers' education programmes. Some experiments have included long-term non-residential programmes which require commitments on the part of union representatives to study for periods ranging from one to four years. Almost all the university labour education centres offer short-term residential courses. They are usually organised jointly by universities and unions, and held during the summer months.

In the African region there are examples of entitlement to leave for trade union studies in collective agreements in several countries. Thus, in Kenya and Nigeria, agreements covering workers in certain public sectors of the economy accord the right to leave without pay for attendance at workers' education courses. An agreement in force in the textile industries in Uganda leaves to management the right to decide whether or not to grant leave—and whether or not it shall be paid—to union members who wish to follow long courses of instruction organised by trade unions; provision is also made for the granting of time off—subject to production requirements—for up to four union members nominated to attend local weekend study courses.

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[1] Herbert A. Levine: " Labour education on the American university campus ", in *International Labour Review* (Geneva, ILO), Vol. 102, No. 5, Nov. 1970, pp. 498-499.

CHAPTER III

FINANCIAL ASPECTS OF EDUCATIONAL LEAVE

Legislative Provisions

Legislation providing for paid educational leave for the purposes of training, general education or trade union studies may also refer to the question of remuneration or financial aid during absence from work.

In France, for instance, the Government may, in certain circumstances laid down in the Act of 16 July 1971, remunerate persons undergoing training or contribute towards their remuneration. The amount and methods of remuneration vary considerably according to the type and level of further training (retraining, updating and refresher courses, prevocational training and specialisation) and the category of trainee. Thus, for wage earners the amount paid may be based on the previous earnings but shall not be less than 90 per cent of the minimum inter-occupational growth wage. Financial provisions are also made for other categories such as persons who are self-employed in the agricultural sector and who wish to change their occupation, young people between 16 and 18 years of age who are not apprentices, and mothers wishing to take up some type of skilled occupation. As to employers' participation in financing, any person who employs at least ten wage earners (with the exception of the State, local authorities and their public administrative offices) is required, as from 1972, to make a financial contribution to one of the above types of training activity. This contribution is fixed at the rate of at least 0.8 per cent of his total current annual payroll; this rate will rise progressively to 2 per cent by 1976. Ways in which employers may meet this obligation include financing training activities for their own personnel, contributing to the "training insurance funds"[1] and contributing up to 10 per cent of their total liability to bodies officially approved in view of the importance of their activities in the field of continuing vocational training. When the employer's participation by these measures falls short of the participation rate fixed, the balance must be paid to the Treasury; any amount paid over and above the agreed figure may be carried forward over the following three years.

Although the Industrial Training Act adopted in the United Kingdom in 1964 makes no specific provision for leave—either paid or unpaid—grants and loans

[1] The training insurance funds are constituted by contributions paid by the employers and workers according to agreed schedules. They are intended to help finance the operating costs of training courses and to cover, during the course, the wages and any social security contributions payable by the employer, as well as any tax payable by him with respect to a trainee on his payroll. The State may also subsidise these funds.

covering maintenance and travelling allowances may be provided by the industrial training boards to persons undergoing approved training. The amounts of per head grants made to individuals or firms for reimbursement of wages and other expenses depend upon the type of training (initial or further training), upon the occupation involved and the level of training, the length of the course and, in some instances, upon the quantity and quality of training. General policies respecting grants vary considerably from one training board to another, depending on the training needs and priorities of the industries which the boards have been set up to serve. Thus some boards' grants cover fully or partly the costs of a wide range of off-the-job as well as on-the-job training, whereas other boards have selective grant schemes, intended to contribute towards the costs of training in areas considered to be most in need of encouragement and support. In addition to the training facilities created by industrial training boards, the Government has expanded the services of its own training centres. One of the recent contributions of these centres towards the redeployment of workers has been the " sponsored training system " under which employees can be upgraded by retraining or can acquire new skills. During training, employers pay the wages of the trainees. In addition per head training grants are made available to employers in developing areas for the provision of off-the-job training facilities or towards the cost of installing machinery and equipment for training purposes. To ensure the financing of vocational training, the boards have statutory powers to impose a levy on employers in the industry. At the same time, the Government may make grants and loans to an industrial training board out of public funds. In the field of management education, grants and the direct provision of courses, usually of short duration, are reported to meet the needs, particularly of the smaller companies. Again, the amounts of the grants vary from one industry to another, ranging from full fees, salary, travelling expenses and subsistence allowances, to fixed weekly or monthly amounts (which seem to be more usual), or to grants covering part of the salary, depending on the type of training (external or in-company courses). Similar provisions are made for technician and technologist training, again ranging from grants made to employers in reimbursement of part of the salary or wage paid to the trainee to per head grants at fixed rates. Grants may vary according to whether they are made for " sandwich " courses, block release or day release.

In Denmark unemployed participants who attend day courses receive allowances equal to unemployment benefits, while employed persons are paid grants by the Government to ensure that their participation in the training course does not adversely affect their financial situation or that of their families. The training schemes can take the form of evening or day instruction and are organised in undertakings, in residential schools or on an extra-mural basis.

In the Federal Republic of Germany a variety of financial incentives for vocational training have existed for many years: financial assistance provided from public funds for different types of education and training, including full- or part-time further training of varying duration, and assistance provided by individual undertakings, groups of undertakings, trade unions, chambers of industry and so

forth. As already mentioned, three Acts relating to vocational training, training promotion and employment promotion, contain provisions for the financial support of persons undergoing training. The Vocational Training Act, which regulates initial vocational training and further training, including retraining, requires that provisions concerning rates of remuneration and length of training be entered in a training contract concluded between the " training employer ", that is the person or the establishment providing initial training, and the trainee. The contract stipulates that the training employer must pay the trainee an appropriate allowance, varying according to age and level of training. Employment beyond the agreed hours of training must be remunerated. Under the Training Promotion Act, financial assistance is made available to persons under 35 years of age who attend technical secondary schools or technical colleges during the day or evening. Trainees who complete a practice period required by the training institutions are entitled to the same financial assistance. This financial support, which takes family income into account, may also be given as an interest-free loan in the case of further training or when the training is of above-average duration. For persons employed while undergoing training, financial allowances may be granted for the duration of the training. Under the Employment Promotion Act, the Federal Employment Institution, an autonomous tripartite agency, is required to provide young persons and adults with grants and loans for vocational training, subject to certain conditions such as the applicant's personal circumstances, the purpose of the training and the requirements of the manpower situation. Allowances may be granted for a period not exceeding two years to persons undergoing full-time training or whose training takes up at least one-third of a regular working week. Persons who are dismissed during the first year of the training continue to receive allowances for periods varying from ten weeks to five months. Foreign workers are not covered by the training and assistance measures provided for in the Vocational Training Act but may benefit from further training and retraining, including, under certain conditions, language instruction, under the Employment Promotion Act. In addition to the policies instituted by the three Acts to enable growing numbers of persons to benefit from vocational training, a variety of schemes for training with pay exist in industry on the basis of collective agreements or of other arrangements within undertakings.

Under Canadian legislation weekly allowances are paid to every full-time trainee who has been in the labour force for at least three years or who has one or more dependants. The full operating costs of the programme and of allowances to trainees are met by the federal Government. In certain circumstances the federal Government will also pay the costs (including wages to the persons participating) of classroom training courses organised by private employers and of on-the-job training needed to counteract redundancy caused by technological change.

Several Eastern European countries have legislation that makes provision for various forms of financial assistance. Thus in Czechoslovakia the wage paid in respect of hours or days off is calculated on the basis of the average remuneration earned by the worker-student over the preceding pay period during the statutory hours of work (including bonuses and allowances, but excluding overtime pay) ; he

continues to be covered by the sickness insurance and pension schemes of the undertaking in respect of periods of time off, whether with or without pay. In Poland initial vocational training and further training of adult workers can be given through government-financed courses organised by the ministries of the different sectors of the economy or by undertakings, through courses connected with and financed by the central co-operative organisation or by undertakings and through a system of evening and correspondence courses, in connection with which provision is made for paid leave and reimbursement of travelling expenses to prepare and sit for examinations and to attend short residential courses.

Other Arrangements

In several countries special provision is made in collective agreements, or through other arrangements within undertakings, for remuneration or for various forms of financial aid during educational leave. For example, in France the 1970 national agreement, to which reference has been made above, stipulates that if the training is arranged by the employer, the worker is entitled to full pay throughout the course and that the undertaking must bear the full expense of the training. In other cases the full wage is payable for a minimum of one month ; after this period the competent joint employment committees are responsible for deciding whether the remuneration should be payable in full or in part. In determining the amount of remuneration or allowances to be paid to adult workers for such training or for industrial initiation courses, account is taken of any contributions payable by the State.

As mentioned previously, collective agreements in a number of Belgian industries provide for paid leave for training. Thus, in the metal and engineering sector an agreement recommends firms to facilitate the participation of young workers in vocational courses by granting free time, credit hours and various allowances. A collective agreement in the textile sector provides for payment of an additional wage of about 5 per cent to young workers attending vocational evening or Sunday classes. One of the aims of the Building Trade Vocational Fund, established by a decision of the national joint committee of the building trade in 1963, is to promote vocational training, *inter alia* by compensating the wages lost by young people attending evening classes and by paying the difference between the minimum wage prescribed by the collective agreement and the allowance granted by the National Employment Office to workers attending intensive vocational training courses. Under internal agreements in some firms, various bonuses are paid per year of vocational study and upon the award of diplomas.

In the Federal Republic of Germany collective agreements, or other arrangements made within undertakings, may include training leave with payment of wages for the duration of the course or scholarships to make up for loss of income, or measures to facilitate training, such as payment of tuition fees and special maintenance and travelling allowances. The type of provision made seems to vary according to the size of the undertaking, the industrial sector and the occupational status

of the trainee. Thus, a survey of training promotion practices in 50 large undertakings, carried out in 1964, showed that large firms may assist between 200 and 400 persons a year to obtain vocational training, whereas in the smaller firms the number usually does not exceed 10. Half of the undertakings sponsor training in a special technical trade or craft; some require that the training be geared to the specific needs of the undertaking; while about a third sponsor education or training in a university or technical college regardless of the subject chosen. Most of the trainees were employees of those firms which provided scholarships or interest-free loans during training. Almost half of the undertakings surveyed did not make assistance conditional upon remaining with the firm after training. More than half limited assistance to persons of above-average aptitudes and abilities. While numerous firms granted scholarships regardless of the financial circumstances of the trainees, others took account of the total family income. Various forms of assistance for training purposes are also provided on a joint basis by groups of undertakings belonging to one or several industrial sectors, chambers of commerce and industry, employers' associations and through foundations created by sectoral or regional branches of industry. Criteria for obtaining assistance for training are usually age, ability and the work record of the trainee.

One example of provision for trade union education is the agreement signed between the Danish Ministry for Greenland and the Greenland trade union centre to the effect that employers pay a certain sum per working hour and per worker into a fund earmarked for trade union and civic education, industrial relations and labour legislation.

In several countries there are various arrangements for assisting workers taking training courses on their own initiative and without the advantage of paid leave; such assistance may be in the form of financial aid or of time off during working hours. In the United States a large number of companies grant leave of absence for educational purposes, under collective agreements or through other arrangements. As a rule, paid leave applies only to managerial or higher-level technical personnel. However, tuition fees may be granted to all employees. Thus, the tuition-aid refund plans that have been introduced in many firms are designed to enable workers to improve or to update their knowledge and skills in subjects which are directly or indirectly related to their actual job or to a possible future assignment and which often lead to an occupational certificate or an academic degree. In principle, all employees in an undertaking have the right to apply for a financial grant for tuition, subject to the approval of their superior and of the personnel office. Employees have the choice of the educational establishment which, however, has to be accredited. Althrough the courses, particularly those leading to a degree, are usually taken outside working hours, there are exceptions; thus, it is reported that some of the larger undertakings continue to pay wages and salaries during training (in one firm, for example, up to one half-day per week). The tuition-aid refund plans are rarely related to seniority status; eligibility is established upon entering employment.

In certain other countries (such as Belgium, France, Norway and Sweden), employers also sometimes meet part of the cost of training courses attended by workers

on their own initiative. A number of undertakings in Latin American countries refund expenses connected with training courses voluntarily attended by their employees on the successful completion of the course, or award a bonus to successful trainees. In Ghana a small number of undertakings refund travelling expenses incurred by trainees in connection with examinations.

CHAPTER IV

DURATION AND FORMS OF EDUCATIONAL LEAVE

Legislative Provisions

In several countries the duration of leave for training purposes is specified in laws and regulations. Thus, the legislation in a number of Eastern European countries specifies the number of hours that workers may take off with pay to follow training programmes and the time allowed to prepare and sit for examinations. In Czechoslovakia, for example, workers taking courses at technical schools in the evenings or by correspondence or on an extra-mural basis are entitled to 4 hours off with pay each week and to a total of 1 week (with pay) to prepare and sit for examinations during the school year; in addition they are allowed 5 weeks' leave (unpaid, but with a student's allowance payable by the establishment) to prepare and sit for final examinations if specialised work is involved or 2 weeks if no such work is required. If evening classes at technical schools involve more than 15 hours' attendance each week, a worker-student may be accorded 1 extra hour off (with pay) in respect of every 3 hours in excess of 15, up to a maximum of 8 hours off each week. Students following courses of long duration which continue without interruption for at least an academic year and involve 400 hours of instruction a year are entitled to 3 hours off each week, with pay, and to 3 days off to prepare and sit for the final examination. In respect of postgraduate work so organised as to enable studies to be pursued concurrently with employment, students are entitled to 24 days off in the course of the academic year for purposes of study, consultation and laboratory work; to 2 days off, with pay, to prepare and sit for each examination; and to 1 week off, with pay, to attend short residential courses.

In Hungary the Labour Code establishes the principle of paid educational leave by stipulating that special leave shall be granted to workers who, concurrently with their occupational duties, are following the teaching of a secondary school, of a trade school or of an establishment for further education. In addition, they shall have the benefit of a reduction in the working period so as to be able to take part in obligatory practical work and in examinations. Various decrees and orders lay down the conditions applicable to and the duration of paid educational leave, as well as rules concerning the reduction of working time. Workers undergoing technical training while continuing their employment are entitled to varying amounts of paid leave according to the type of course. For instance, employees attending courses at higher technical colleges are entitled to 2 hours off 3 times a week plus

a certain number of days' leave with pay—ranging from 12 to 36, depending on the nature of the studies—to prepare and sit for examinations at the end of the course. Students attending other types of vocational training schools are entitled to similar concessions, except that the number of hours off each week is limited to a maximum of 5.

In Yugoslavia provision is made to enable workers to pursue their education or training concurrently with their normal employment. For example, workers may be granted a reduction of from 1 to 3 hours a day in their normal working hours: from 7 to 45 days' paid leave to prepare and sit for examinations; or up to 3 years' leave (with full maintenance of employment rights) if they are holders of a scholarship, with a grant ensuring the maintenance of the average standard of living of the worker and his family.

In the USSR workers attending evening classes in technical schools in order to acquire higher skills may be granted 30 days' annual educational leave with half pay. Workers attending training courses for foremen are entitled to 25 days' paid leave to prepare and sit for examinations.

In some countries the length of leave is closely related to the length of the training programmes. Under the recent legislation in France, mentioned previously, up to a year is generally allowed in the case of continuous full-time programmes or up to 1,200 hours for intermittent or part-time instruction. Training leave may, however, be granted in excess of a year or of 1,200 hours in the case of occupational advancement programmes for workers desiring to acquire higher skills. Similarly, in Canada applicants for training, who must have been out of the regular school system for at least a year, may follow training programmes lasting not more than a year and designed to increase their earning capacity or employability.

Rules relating to the duration of training and further education of public servants are in force in several countries, such as the Federal Republic of Germany, where leave of from 6 to 12 working days a year may be taken to attend lectures, scientific meetings and study courses and to sit for examinations. Paid leave of up to 3 months may be granted to attend language courses held abroad. In the United Kingdom up to 20 days may be granted as special leave with pay: in addition, sabbatical leave may be granted to selected civil servants holding, or likely to hold, highly responsible positions. This type of leave, which normally does not exceed a year, may include leave for advanced study or detachment, for training, in industry.

In a number of countries the legislation specifies the duration of paid leave for purposes of general adult education. Thus, in Czechoslovakia, Poland and the USSR, workers taking evening or correspondence courses in general secondary-level education are as a rule allowed 1 day off a week or an equal number of working hours, as well as time to prepare and sit for examinations.

With regard to trade union education, laws and regulations occasionally include provisions on the length of leave granted for this purpose. For example in Austria, under the 1971 amendments to the Act relating to works councils, members of these councils are entitled to 2 weeks' leave to acquire the necessary knowledge to

perform their duties. Under certain conditions, for example need for specialised training, leave of up to 4 weeks may be given.

Examples from developing countries include legislation in the Congo, in Madagascar, and in Mauritania. In the Congo a Decree of 1961 entitles workers' representatives to paid educational leave amounting to 6 working days a year (to be taken in 1 or 2 periods) to attend courses arranged by recognised workers' organisations and devoted exclusively to workers' education and trade union training. Under a law adopted in 1969, workers in Madagascar are entitled to a maximum of 12 working days' annual leave, taken in 1 or 2 stages, to attend workers' education courses, provided, however, that absence for this cause does not reduce the attendance of any occupational category in the undertaking by more than 10 per cent. The number of workers released for study leave varies according to the size of the undertaking. These workers are selected by agreement between the most representative trade union organisations and they receive an educational leave allowance, paid by the employer, equivalent to their normal basic wage. These legal provisions are applicable when the organisation and syllabus of the courses have been approved by the Ministry of Labour and Social Laws. In Mauritania provisions in the Labour Code of 1963 entitle workers to 15 days a year of unpaid leave to attend conferences or seminars organised by trade unions. The entitlement is limited to a maximum of 3 persons each year from the same undertaking, and the leave may be taken in 1 or 2 periods.

Other Arrangements

Collective agreements in some countries make provision regarding the duration of leave for training. Thus, under the inter-occupational agreement concluded in France in 1970, 8 hours a week and 320 hours a year are granted to all young workers under 18. Other workers in employment may apply for leave of absence for a maximum of a year for full-time training or for 1,200 hours for non-continuous part-time training. In the United States a number of agreements contain rules on the amount of leave that may be taken for training or education, ranging from a month to a year or, in some cases, even more. However, this leave is usually unpaid.

The duration of leave for management training varies greatly depending on the type of programme (full-time or part-time), on the individual and his professional skills and position in the undertaking and, to a considerable extent, on the size of the undertaking. As a rule training schemes vary in length from one-day seminars to programmes lasting several months. Some full-time courses are as long as an academic year, combining a residential course with training periods within industry. While in France the duration of leave for training of management staff, engineers, technicians and foremen is determined by the legislation covering vocational training in general, in other countries it is generally based on various arrangements within undertakings or industries. Taking an example from Scandinavia, the training schemes organised by the Norwegian Association of Engineers and Technical Staff

(NITO) for its members may be as short as several days or as long as 5 weeks. Some programmes take the form of evening courses but day-time training lasting up to a week is also arranged. As a rule, the part-time courses span both work and leisure hours. In Egypt, for middle and top management staff who receive training at a specialised institution, the duration of the programme usually ranges from 4 weeks to a year.

As far as trade union education is concerned, collective agreements occasionally lay down the amount of leave to which workers are entitled. Thus, in the Federal Republic of Germany the leave granted varies between a day and 2 weeks, while in the Netherlands, under some agreements—for example in the metal trades—such leave is limited in principle to a day per year. In Switzerland, according to an agreement reached in 1971 between the Swiss Metalworkers' and Watchmakers' Union and the Swiss Engineering and Metal Employers' Association, leave for trade union studies is granted to members of works councils and to their deputies on the basis of 10 days per member of the works council, up to a maximum of 100 days within a 4-year period.

Although collective agreements in several Latin American countries provide for short periods of paid leave or time off with pay for workers' representatives to attend meetings, relatively few make similar provisions for leave for educational purposes ; where, however, such leave is provided for it usually covers a relatively long period. For example, some agreements in Colombia provide for paid leave of up to a maximum of 2 months for 1 worker in the undertaking to attend courses of trade union or co-operative training. In the same country an agreement applying to workers in an oil company provides for paid leave of up to 30 days each year for 3 trade union delegates to attend trade union courses, conferences or congresses. On the other hand, in Guyana, where week-end courses and 2-week or 1-month seminars are run for shop stewards and other trade union officials in a workers' education college established a few years ago, the practice of granting paid educational leave appears to be fairly widespread and a relatively large number of collective agreements contain specific provisions on the subject. The usual maximum period of leave with pay is 2 weeks a year and the entitlement applies to 1, 2 or 3 employees, according to the size of the undertaking.

In the African region a collective agreement applicable to mining undertakings in Mauritania accords conditions more favourable than those prescribed in the national Labour Code : undertakings employing over 300 workers grant paid leave for a maximum period of 15 working days to 1 worker for every 300 employed, up to a maximum of 4 workers in each undertaking, so that they may take part in workers' educational courses approved by the Ministry of Labour.

Collective agreements in Malaysia frequently mention leave for trade union studies ; the provisions range from a promise by the management to give sympathetic consideration to applications by trade union officials for study leave on full pay to an outright undertaking to grant a certain period of leave each year. Thus, among government employees, workers' representatives may be accorded up to 2 weeks' paid leave a year ; in the case of those who have been awarded scholar-

ships for study overseas organised by certain international bodies, a longer period is allowed. Many agreements stipulate that the study leave shall be paid and the question of its length either is left to the discretion of the management or, in the case of courses approved by the Ministry of Labour, corresponds to the duration of such courses.

In many countries trade unionists attend educational courses partly or wholly in their own time. In those countries where the 6-day or 5½-day week is still in force, week-end courses would often fall partly during working time, as happens in Uganda, where under the terms of an agreement workers may nevertheless be allowed to attend such courses. In the USSR the most widely employed form of trade union education appears to consist of seminars for active members of trade unions, arranged by factory and local committees, at which millions of trade unionists receive training every year. These seminars are usually held in the undertaking after working hours; they vary in length, but usually comprise between 10 and 20 hours of instruction.

CHAPTER V

POSSIBLE INTERNATIONAL ACTION

The first discussion by the Conference at its 58th Session will provide an opportunity for examining the different aspects of paid educational leave and the possible means of action appropriate to national conditions and practice that could be incorporated in an international instrument which would guide governments and employers' and workers' organisations in establishing general principles and in taking appropriate measures.

The questionnaire at the end of the present report suggests the possible lines on which such an international instrument should be based. Account was taken, in its preparation, of the discussions at the Meeting of Experts on Paid Educational Leave (January 1972) and in the Governing Body when it examined the report of the Meeting at its 185th Session (February-March 1972). As envisaged in Parts I to V of the questionnaire, the instrument would set out basic principles and formulate general policies concerning paid educational leave; various suggestions for methods of application might accompany it (Part VI).

As to the most suitable form of instrument (question 1 (2)), no conclusions were reached in the discussion by the Meeting of Experts or by the Governing Body; in particular no governments have yet stated their views. The concept of paid educational leave is relatively new and a variety of means are being explored in different countries in order to give it some practical effect. It would seem to be to the advantage of all concerned that maximum flexibility should be maintained in order to find the best solutions, in the light both of national needs and of international experience. Consequently the question arises as to whether it would be wise at this stage to opt for the binding obligations which a Convention would entail. Greater impetus may well be given to the development of law and practice in the matter by a formulation of basic principles, accompanied by suggestions as to possible methods of application, in the form of a Recommendation. Such a Recommendation could be a useful first step and could eventually lead to the inclusion in a Convention of those provisions which, in the light of experience, are seen to lend themselves to this form of instrument.

As envisaged in questions 2 and 3, paid educational leave would be placed in the context of lifelong education and training, for which the need is becoming generally recognised in view of rapid technological and social change. At the same time it would be recognised that paid educational leave should not be regarded as a sub-

stitute for adequate education and training early in life, but only as one of several means for continuing education and training.[1]

The provisions suggested in questions 4 to 6 in Part I would aim at establishing national policies for the promotion of paid educational leave, with specific reference to the social and economic purposes of the education and training thus provided.

Questions 7 to 10 in Part II propose that the formulation and application of a paid educational leave policy be a matter of tripartite concern and suggest various measures that might be taken to make such policy effective.

Part III of the questionnaire deals with the problems of financing paid educational leave. Attention is drawn to the need to ensure that this is organised on a sound financial basis ; the important point of cost sharing is raised in questions 12 to 14.

In Part IV questions 15 to 19 deal with the conditions for the granting of paid educational leave. Question 15 raises a major point : access to paid educational leave without discrimination. The relationship between types of educational or training programmes and conditions of eligibility and methods of selection is dealt with in question 16. Attention is drawn in question 17 to the priorities which might be established in granting paid educational leave, while questions 18 and 19 concern the protection of the income and social benefits of workers taking this kind of leave.

In Part V questions 20 and 21 are standard questions, the first being addressed to federal States only and the second referring to special problems arising from particularities of national law and practice.

Part VI of the questionnaire considers adding an Annex containing suggestions as to methods of application. The relevant questions are limited to an indication of possible subjects for such suggestions.

With regard to other forms of international action, the Meeting of Experts, as well as members of the Governing Body, stressed the need for the International Labour Office to undertake studies on questions concerning paid educational leave, to disseminate information on national experience and to furnish technical assistance where needed. The importance of close collaboration with UNESCO and other organisations of the United Nations in such work was recognised. If the Conference wished to make any recommendations regarding such international action and collaboration, an appropriate means of doing so might be the adoption of a resolution on the subject.

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[1] The term " social right " which appears in the report on the Meeting of Experts (paragraph 63 (1)) has not been used in the questionnaire. In a formal instrument designed primarily to serve as a basis for national legislation or collective agreements, the use of this term might create a certain confusion between the concepts of a right in the legal sense and a right in the social sense.

QUESTIONNAIRE

In accordance with article 39 of the Standing Orders of the International Labour Conference, governments are requested to send their replies to the following questionnaire, indicating their reasons for each reply, so as to reach the International Labour Office in Geneva by 30 September 1972 at the latest.[1]

1. (1) Do you consider that the International Labour Conference should adopt an international instrument concerning paid educational leave?

(2) If so, what form do you consider that the instrument should take?

2. Should the proposed instrument refer, in its Preamble, to the provisions contained in existing international labour Recommendations on vocational training and the protection of workers' representatives concerning the temporary release of workers, or the granting to them of time off, for participation in education or training programmes, and should it suggest that the need for lifelong education and training related to scientific and technological development and the changing pattern of economic and social relations call for an adequate regulation of leave for education and training?

3. Do you consider that it is further desirable to recognise in the Preamble of the instrument that paid educational leave is not a substitute for adequate education and training early in life and that it is only one of a variety of means for continuing education and training, which are affected also by general policies on hours of work?

I. Formulation of Policy

4. Should the proposed instrument provide that, with a view to facilitating the continuing extension and adaptation of the educational attainments and occupational skills of workers, each Member should declare and pursue a policy designed to promote, by methods appropriate to national conditions and practices and by stages as necessary, the granting of paid educational leave?

5. Should the proposed instrument provide that the policy referred to in Question 4 should be designed to contribute —

(a) *to the social and cultural advancement of workers;*

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[1] The attention of governments is drawn to the recommendation on page 3 of this report concerning the consultation of the most representative organisations of employers and workers.

(b) *to the acquisition, improvement and adaptation of occupational and functional skills, and the promotion of employment and job security in conditions of scientific and technological development and economic and structural change ;*

(c) *to the active and informed participation of workers and their representatives in the life of the undertaking and of the community ; and*

(d) *generally, to the promotion of appropriate lifelong education and training facilitating the adjustment of workers to contemporary requirements ?*

6. (1) Should the proposed instrument provide that the policy referred to in Question 4 should take account of the stage of development and the particular needs of the country and of different sectors of activity, and should be co-ordinated with general policies regarding employment, education and training as well as those regarding hours of work ?

(2) Do you consider that the proposed instrument should state that such a policy should be regarded as an essential element of human resources development, and as an investment in the interest of the workers, the employers and the community as a whole ?

II. Measures for the Promotion of Paid Educational Leave

7. Should the proposed instrument provide that the formulation and application of the policy for the promotion of paid educational leave should be the joint concern of public authorities, employers and their organisations, workers' organisations and institutions or bodies providing education or training ?

8. (1) Should the proposed instrument provide that, on the basis of plans adapted to the aims of the policy, measures should be taken —

(a) *to make full use of available education and training facilities, and to establish such new facilities as may be required to meet the education and training purposes of paid educational leave ;*

(b) *to take account in teaching methods and education and training programmes of the objects and modalities of paid educational leave, which reflect new needs ;*

(c) *to provide workers with incentives to take the greatest advantage of education and training facilities available to them ?*

(2) Do you have any other suggestions concerning measures for the promotion of paid educational leave ?

9. Should the proposed instrument provide that there should be adequate systems of information and counselling regarding possibilities of paid educational leave ?

10. Should the proposed instrument provide that special provisions concerning paid educational leave should be established where particular categories of workers, such as workers in small undertakings, shift workers or women with family responsibilities, find it difficult to fit into general arrangements ?

III. Financing

11. Should the proposed instrument provide that the financing of arrangements for paid educational leave should be on a regular and adequate basis?

12. Should the proposed instrument provide that contributions to the cost of such arrangements, which may, in addition to the financial entitlements of the workers concerned, cover some or all of the cost of programmes followed and of relevant administrative services, should be made by the public authorities, employers, collectively or individually, and educational or training institutions or bodies according to their respective responsibilities?

13. Should the proposed instrument provide that workers' organisations may be expected to contribute to the cost of paid educational leave for trade union education?

14. Have you any specific suggestions to make concerning the contributions envisaged in Questions 12 and 13 above?

IV. Conditions for Granting Paid Educational Leave

15. Should the proposed instrument provide that paid educational leave should be available to workers without discrimination?

16. (1) Should the proposed instrument provide that, in determining conditions of eligibility and methods of selection for paid educational leave as well as modalities of remuneration, account should be taken of the types of education or training programmes available and of the requirements of the employing undertakings, as well as of the needs of the workers and their organisations and of the public interest?

(2) Should the proposed instrument provide that the conditions, methods and modalities referred to in paragraph (1) of this question may vary according to whether paid educational leave is intended for —

(a) *general, social or civic education;*

(b) *training at any level; or*

(c) *trade union education?*

(3) Should the proposed instrument provide that, as regards paid educational leave for trade union education, the workers' organisations concerned should have the final responsibility for selection of candidates as well as approval of programmes?

17. Should the proposed instrument provide that, as required by national circumstances, priority in the granting of paid educational leave should be given to particular categories of workers or particular occupations or functions which have especially urgent education or training needs?

18. Should the proposed instrument provide that during paid educational leave workers should receive compensation for loss of earnings as well as any social benefits to which they may have been entitled prior to the leave ?

19. Should the proposed instrument provide that a period of paid educational leave should be assimilated to a period of effective service for the purpose of establishing claims to social benefits as well as to other rights deriving from the employment relationship ?

V. Miscellaneous

20. (Federal States only) Do you consider that, in the event of a Convention being adopted, the subject-matter would be appropriate for federal action, or wholly or in part for action by the constituent units of the federation ?

21. (1) Are there any particularities of national law or practice which, in your view, are liable to create difficulties in the practical application of the instrument as conceived in this report ?

(2) If so, how would you suggest that these difficulties be met ?

22. Please indicate any other opinions, suggestions or general considerations which should in your view be taken into account in the examination of the question of paid educational leave.

VI. Suggestions concerning Methods of Application

23. Should the proposed instrument have an Annex setting forth suggestions as to methods of application by which Members, employers and their organisations, workers' organisations and other institutions and bodies concerned might be guided, to the extent possible and desirable, in applying its provisions ?

24. Do you consider that the suggestions envisaged in Question 23 should deal more particularly with measures for the promotion of paid educational leave, on the one hand, and with conditions for granting that leave, on the other ?

25. (1) Do you consider that, with respect to measures for the promotion of paid educational leave, it would be desirable to set out suggestions concerning —

(a) *methods of consultation and co-operation among those concerned ;*

(b) *co-operation between the authorities and bodies concerned with paid educational leave and the authorities and bodies responsible for approving and supervising education and training programmes and facilities ;*

(c) *the collection and dissemination of information regarding possibilities of paid educational leave, available facilities and programmes ;*

(d) *counselling services ;*

(e) *subsequent use of the knowledge or skills acquired by workers thanks to paid educational leave ?*

(2) Do you have any particular comments regarding these points?

26. Do you have any other suggestions regarding measures for the promotion of paid educational leave?

27. (1) As regards conditions for granting paid educational leave, do you consider that it would be desirable to set out suggestions concerning —

(a) *categories of workers, or occupations or functions, which might be given priority in the granting of paid educational leave by reference to their particularly urgent education or training needs;*

(b) *conditions on which the eligibility for paid educational leave might be made dependent (such as length of service in the undertaking, suitability, including the existing qualifications of the candidate, etc.);*

(c) *the considerations by reference to which the terms on which leave is granted may be varied (such as the nature and the purpose of the education or training, the time needed to attain the qualifications aimed at, etc.);*

(d) *the possibility of postponement of leave for a limited time, where the absence during a particular period of a worker otherwise eligible for paid educational leave is liable to prejudice the production or operation of the employing undertaking;*

(e) *the duration of paid educational leave;*

(f) *circumstances of which account should, as far as possible, be taken in determining financial entitlements during paid educational leave (such as fees payable for education or training, travel expenses and additional housing costs, etc.);*

(g) *the form of financial entitlements (such as continued payment of remuneration, scholarships, fellowships or other study subsidies, etc.);*

(h) *the possible requirement that the worker remain in the employment of the undertaking for a specified period following the completion of the education or training, where the financial entitlements are provided by the employer?*

(2) Do you have any particular comments regarding these points?

28. Do you have any other suggestions regarding conditions for the granting of paid educational leave?

APPENDIX I

EXTRACTS FROM THE REPORT OF THE MEETING OF EXPERTS ON PAID EDUCATIONAL LEAVE

(Geneva, 10-21 January 1972)

1. In accordance with a decision taken by the Governing Body of the International Labour Office at its 184th (November 1971) Session, a Meeting of Experts on Paid Educational Leave was held in Geneva from 10 to 21 January 1972.

2. Twenty-eight experts from government, employers', workers' and university circles took part in the Meeting, which was also attended by representatives of UNESCO, the Council of Europe, the European Communities and the Organisation for Economic Co-operation and Development, and by observers from the following non-governmental organisations: the International Confederation of Free Trade Unions, the World Confederation of Labour, the World Federation of Trade Unions and the International Organisation of Employers. . . .

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4. Welcoming the participants on behalf of the Director-General, Mr. Livchen stressed the importance of the Meeting for the preparatory work for the 58th (1973) Session of the International Labour Conference, on the agenda of which the question of paid educational leave had been placed. Moreover, the subject of paid educational leave was in itself important and topical. Scientific and technological progress, the growth of knowledge and the requirements of society called for continuous adaptation of the knowledge, skills and attitudes acquired through initial general education and training. Paid educational leave—the freeing of workers for various educational purposes during their normal working time, for specified periods and without loss of income—was one of the essential means of facilitating the acquisition, improvement and adaptation of professional skills, of encouraging the social and cultural advancement of workers, of ensuring greater equality of opportunity and of furthering the education of workers and their representatives in economic and social matters. Drawing attention to the working papers submitted to the experts, in particular the law and practice report on paid educational leave, and to the main resolutions already adopted by previous ILO meetings, he underlined the fact that the experts would speak in their individual capacity and would help to clarify the problems which would later be considered by member States and by the Conference.

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General Discussion

7. Several experts referred to the importance of paid educational leave in their countries and described the forms taken by it. This enabled the Meeting to review the different current conceptions and models of paid educational leave. The need to come to an understanding on a definition of the term " paid educational leave " and, for this purpose, to specify the nature and limits of this new form of leave was recognised.

8. There was wide agreement on the importance for the individual, for the undertaking, for the economy and for society of promoting the education and training of workers throughout their occupational lives. Paid educational leave responded to a real need of modern society, having regard not only to technological and social change but also to changes in economic conditions and the requirements of the cultural development of all people. The

special importance for developing countries of all forms of education and training with a view to social and economic development, employment creation and national integration should also be stressed.

9. In view of the widely divergent social and economic conditions in different countries, no universal pattern or uniform model for paid educational leave could be formulated and it would not be desirable to lay down excessively rigid rules applicable to all countries since to do so might, in certain cases, create an obstacle to the very development of paid educational leave which was being sought. Under these conditions the experts hoped that account would be taken of the variety of situations now existing.

10. Numerous experts pointed to the diversity and complexity of the theoretical and practical problems raised by paid educational leave inasmuch as it applied to various institutions and branches whose internal structure was sometimes rigid. On the other hand, the range of solutions and national practices was very large. Among the numerous elements that needed to be considered it would seem desirable to retain mainly the differences in the initial education and training of workers, in the personal and occupational needs of individuals as well as the needs of the community, in the type and size of undertakings and economic sectors as well as in the level of development of different countries.

11. A number of experts pointed out that the principle and the idea of paid educational leave were relatively new and that systems of paid educational leave had in recent years been substantially developed in the labour legislation of several countries. They considered it to be truly a new social right, though they recognised that its effective application must be gradual in order to take account of the resources of different countries.

12. It was pointed out that paid educational leave came within the framework of the lifelong education and continuous training of adults and, as such, was closely linked to the over-all educational and training system. It was not, however, a substitute for a system of general education and of training and it could not compensate for the inadequacies of such a system on a permanent basis; it was, rather, an instrument for supplementary education and training.

13. Paid educational leave was closely related to the social and personal development of the individual. All workers, without discrimination, should have the freedom and the opportunity to develop this potential and should have access to all types of education and training, even though, in the view of some experts, they might be called upon to make some contribution for this purpose. It should be possible, moreover, to supplement this personal enrichment with social advancement.

14. Several experts drew attention to the need to examine the problems raised by the introduction of paid educational leave with reference to employment problems and, in particular, within the framework of manpower planning. In fact, for numerous developing countries the basic question was perhaps not only one of training and education but also one of employment and underemployment of many marginal workers. In the final analysis this was a problem of the speed of national economic and social development. Thus the development of paid educational leave should be viewed in the perspective of the World Employment Programme and be regarded as one of the instruments of an active manpower and employment policy. Other experts considered that education and training were necessary in themselves to ensure the personal advancement of the worker and that employment problems should be studied in a wider context.

15. As to the objectives of paid educational leave, the discussion brought out the usefulness of differentiating between the educational and training facilities on the basis of the needs which gave rise to them and which they must satisfy. According to the resolution adopted by the International Labour Conference in 1965, the main purpose was to give workers the opportunity " to acquire the further education and training which they need to carry out their duties at the workplace and assume their responsibilities as members of the community." In other words the principal objectives of paid educational leave were training and the general, social, civic and trade union education of the worker in society. Economic and cultural objectives also had to be taken into consideration. In addition, training could not be separated from general, cultural or social education. Other experts remarked that

trade union education was one of the components of social education and that its content should be extended in the light of the development of labour legislation, of social institutions and of increased participation by workers' representatives in the economic and social life of each country. Further, some experts pointed out that the main types of paid educational leave mentioned in the documents submitted by the Office (training; general, social and civic education; trade union education) required such different methods of application that they should be treated separately.

16. The majority of the experts agreed that in the choice of appropriate models of paid educational leave it was important to take into account two characteristics that defined paid educational leave: one, that it was a type of " leave " and, two, that it was " paid leave ". First of all, the worker should be freed during normal working hours, whatever his status and position in the undertaking and whatever the purpose of the training and education, even if there was no immediate evidence of interest for the undertaking. On the other hand, release for training and education should not have any consequences prejudicial to the employment conditions of the worker. Secondly, the cost of these arrangements should not, in principle, be borne by the worker whatever the source and type of remuneration and allowances might be.

17. With regard to the scope of paid educational leave, this leave should in principle be available to all workers whatever their level of education or schooling, their qualifications, their occupation or their branch of activity. Special methods of application should be envisaged in respect of certain categories of workers—for example, women, shift workers, workers with few skills, handicapped workers, workers employed in small undertakings, in the rural sector and in branches of industry and occupations undergoing rapid technological change. A particular effort should be made for workers who for reasons of health needed to change their occupation or their job, as well as for migrant workers.

18. Problems raised by the distribution of jurisdiction and of responsibilities regarding the organisation and the financing of systems of paid educational leave between the State and both sides of industry were discussed. Some experts took the view that it was part of the function of the public authorities, because of their general responsibility for adjusting the supply and demand of the labour force and for the promotion of genuine equality of opportunity, to define a minimum legal framework regarding the principles and the financial and administrative machinery, leaving, however, sufficient room for collective bargaining if necessary.

19. Finally, the problems of cost and return brought about by the introduction of various types of paid educational leave were raised. Some experts pointed to the limited economic possibilities, particularly in most developing countries, and to the fact that every new measure that constituted an additional burden which would be eventually borne by the consumers or taxpayers would have to be carefully weighed. Other experts thought it better to regard paid educational leave as an investment and to stress the direct and indirect benefits for all those concerned and for the community as a whole.

I. General Principles

20. The appropriate point of departure for a discussion on paid educational leave was, in the view of many of the experts, the right to education. Education was a basic human right proclaimed by the United Nations and was generally accepted. It was not, however, effectively available to everyone: inequalities in educational opportunity persisted and it was an urgent social task to promote greater equality and also to compensate for the inequalities of the past.

21. For several experts, a right to paid educational leave flowed naturally from, and was an integral part of, the right to education. Paid educational leave was an essential means of enabling adults who had not had the benefit of sound initial education to make up the deficiencies, of balancing the almost exclusive attention given to children and young people in conventional education, of making it possible for all who wished to continue their education to do so without discrimination based on economic status and thus of bringing greater democracy to education. It was all the more important in the light of changing

educational concepts, economic needs and social ideas. The right to education could no longer be interpreted in the traditional sense of primary education; lifelong education aimed at the full development of the human personality was increasingly being recognised as a human right and paid educational leave was essential to the exercise of that right. Once the right to paid educational leave had been established, methods of application and conditions could be determined, but recognition of the right must be the first step.

22. While agreeing that education was a human right, other experts regarded paid educational leave not as a basic and inseparable part of that right, but as one means of promoting it. For them, the right to education did not imply a right to paid educational leave. Education was a right of all members of society, not just employed ones; it should be guaranteed by society and not necessarily within the framework of employment or the employment relationship. In their view paid educational leave was a more limited question connected to work and affecting man mainly in one of his aspects, the occupational aspect. An effort for his own education must come from the worker; paid educational leave was a means of helping him by removing certain impediments.

23. While the question of paid educational leave could be examined primarily in terms of the right to education, it was also connected, several experts pointed out, with a second right—the right to security of existence and hence to security of employment. The need for continuing training, in particular, was linked to job security and, like the need for education in general, required the examination of different methods for meeting it, of which paid educational leave was an important example.

24. There were a number of reasons for the growing importance of education and training for workers, and thus of paid educational leave as a means of facilitating education and training: the lack of basic education and skills among many workers, especially in developing countries; the gaps in education and training between older and younger workers in both developing and industrialised countries; the inadequacies in the education and training of certain disadvantaged categories; the need to keep pace with or adjust to scientific and technological advances, new organisational and managerial techniques and economic and structural changes; the demands of increasing participation by workers in the life of the undertaking and the community; and the widening appreciation of equality of opportunity as a fundamental right.

25. Paid educational leave, it was suggested, could have as broad objectives, first, the social and cultural development of the individual, including his trade union education and, second, the acquisition, adaptation and improvement of occupational and functional skills in the interests of the worker, the undertaking and the community.

26. The first objective included general education at all levels and education enabling workers to exercise their rights and responsibilities in society. It was noted that paid educational leave could be a means of combating illiteracy and filling educational gaps, though several experts warned that the magnitude of the task was far beyond the resources available for paid educational leave and that such leave could not be regarded as a substitute for an adequate educational system.

27. On the specific question of trade union studies, which several experts placed under the heading of civic and social education, it was agreed that a distinction had to be made between training for trade unionists in activities connected with the internal operation of the union, which did not come within the scope of paid educational leave, and education for union officers, shop stewards, members of works committees and rank-and-file trade unionists in economic, social, legal and similar fields to enable them to carry out their duties on different committees and bodies at undertaking, national and international levels and to deal on equal terms with persons having benefited from higher education. This latter type of training was of value to society as a whole and should be promoted by means of paid educational leave.

28. The second broad objective of paid educational leave—training directly aimed at the acquisition or improvement of qualifications for work—included initial training and the development or upgrading of skills and aptitudes, training for the purpose of keeping knowledge and skills up to date, and retraining in different fields. The experts were generally

agreed on the importance of all three and on the value of paid educational leave as a means of promoting them. It was pointed out, however, that, unlike general education, which could be regarded as an end in itself, training had to respond to felt needs.

29. For all of these objectives, paid educational leave could be useful and important, but for none of them could it be enough. The experts drew attention to a series of prerequisites for any success. First, great stress was laid on motivation. Existing adult education and training did not always correspond to the aspirations of workers. However, the motivation of workers is an indispensable condition for education and training fully to achieve their aims. Second, paid educational leave would have no meaning if adequate educational and training facilities were not available. The parallel development of such facilities, of appropriate educational methods and of closer co-operation with the education and training authorities was as important as the provision of leave. Third, once a worker had completed a training programme, it was important to enable him to make use of it and to draw tangible benefits from it. Failure to place a trained worker in an appropriate job or to give him an opportunity for promotion and higher earnings would lead to frustration and tension and would negate the value of the leave and the training. Finally, knowledge about the facilities available was often lacking and a choice among them was often difficult to make. Guidance services were therefore an important aspect of adult education and training.

II. Statutory Provisions and Other Arrangements

30. Discussing the relative advantages and disadvantages of providing paid educational leave by the various means of public and voluntary action, that is through legislation, collective agreements and other arrangements, many experts stressed the need to anchor the right to paid educational leave in legislation, while appreciating the value of supplementary action through collective agreements and other arrangements. They were of the opinion that once the right to paid educational leave was recognised, it should be embodied in a general framework of law which should integrate lifelong education into the general system of education and training or into a separate system. General legislation, while lacking perhaps in flexibility, seemed to them the only way to guarantee equality of opportunity and uniformity of treatment. Legislation could also be used to extend provisions already included in collective agreements.

31. Other experts, on the contrary, had, for a variety of reasons, reservations against legislating for paid educational leave. In general, they favoured making provision for paid educational leave through collective agreements and other arrangements. Some experts pointed to the flexibility of collective agreements which could be periodically reviewed and were therefore more easily adjustable than legislation. Besides, in many countries collective agreements had force of law and had resulted in achievements in the field of paid educational leave that were often superior to the minimum standards laid down in legislation. It was pointed out, moreover, that legal minima often tended to become maxima. Other experts added that conditions varied to such a great extent even within countries, for instance, as regards the size of the financial possibilities of undertakings, that legislation would not seem practicable. Some experts from developing countries questioned the possibility of implementing legislation, even if it were established, owing to lack of resources.

32. Several experts remarked that regulation of paid educational leave through collective agreements alone would not ensure equal coverage of all workers. Certain categories of workers or even entire economic sectors may thus be excluded from the benefit of paid educational leave. If, as some experts pointed out, in some countries with strong trade union movements and large rates of unionisation paid educational leave had not been generalised, no headway could be made without legislation in countries where the trade union movements are relatively weak.

III. Conditions Governing the Granting of Paid Educational Leave

33. In discussing conditions governing the granting of paid educational leave the suggestion was put forward that several conditions seemed equally relevant and should therefore not be put into any particular order of priority. On the other hand some experts

thought that criteria such as the value of educational or training programmes to the undertaking and the suitability of the candidate were of greater importance than others. Others felt that care needed to be taken not to make these conditions too stringent as this might defeat the basic right of individuals to apply for paid educational leave. Several experts agreed, however, that criteria for selection had to be established.

34. As to age as a condition, some experts were of the opinion that this factor needed to be seen in relation to other conditions. Workers of all age groups might be in need of some form of training or education—young workers who have not finished their initial training or their primary education, older workers who desire upgrading or academically trained personnel for advancing scientific research, etc. Further, it should be understood that no age limit should be set for literacy training.

35. Several experts stressed the importance of the condition of seniority (meaning length of service in the undertaking) for eligibility for paid educational leave. Some experts maintained, however, that length of service might be considered a condition in cases where experience was required for the training. Attention was drawn in that connection to practices in some countries allowing transferability of the right to paid educational leave when workers changed undertakings or employment.

36. Some experts stressed that the condition of suitability of the candidate was a major factor governing the granting of paid educational leave for any given course. Vocational and educational guidance and appropriate selection procedures were considered indispensable for the choice of candidates. While this was relatively easy with regard to training, criteria for determining the suitability of candidates for general, civic and social education seemed, according to some experts, to raise considerable problems as, for instance, to the authority establishing these criteria or the level of knowledge of the candidate in this field. Other experts suggested that there should be no selection at all in the case of general education.

37. The place at which the educational or training programme was carried out should, in the view of the experts who commented on this point, not raise any particular problems if these programmes were carried out in the undertaking. Where they were carried out elsewhere, problems could arise, notably that of travel costs. It was generally agreed that the value of the educational or training programmes to the undertaking, the occupation or the economic sector and to the community as a whole was a major criterion for the granting of paid educational leave. The same was held true of the question of the accrediting of educational or training establishments which have to meet criteria of efficiency, content and methods of training. It was agreed that the operation of these establishments should be the subject of tripartite consultation. Trade union education is, however, of more particular concern to workers' organisations.

38. The views of the experts varied as to the condition of membership of the candidate in a trade union where trade union education was concerned. Some insisted that, particularly in countries where the trade union movement was weak, such as in many developing countries, all workers whether union members or not should be able to benefit from paid educational leave for trade union education. According to others, this was also valid for developed countries since workers were increasingly called upon to participate in bipartite bodies at the level of the undertaking or the industry and in tripartite organisations at the national level. The discussion on this point brought out the difficulty of drawing a clear line between the civic, economic and social education of workers and trade union education. As far as the latter was concerned, some experts felt that non-union members should have the possibility of trade union education but questioned whether they should be granted paid educational leave for this purpose. In the view of other experts, whatever the decision on this point, trade union education should take place under the auspices of or after consultation with the trade unions which selected the candidates.

39. A number of points were raised in relation to the effects on the operation of the undertaking of workers' absence during paid educational leave. It was agreed that if the normal operation of the undertaking was not to be affected because of absence of workers on leave, a number of safeguards had to be established. Some experts, referring to practices in their countries, mentioned for instance the setting of ceilings on the number of workers allowed to take paid educational leave at any one time so as to avoid prejudicing the

operation of the undertaking. Provision should be made for settling disagreements on this point. Other experts considered that all limits should be determined according to mutually recognised needs. While replacements needed to be found, this should not mean that persons away on educational leave, particularly higher technical, scientific and supervisory personnel, should have to make up time and work load after their return. Other experts pointed to the particular problems of small undertakings in releasing staff and of undertakings in general in freeing persons in key positions. Others pointed out that this could lead to discrimination against workers in small undertakings. Various resources may be available to small undertakings to facilitate the freeing of workers for educational leave. Some experts maintained that, while the freedom of workers must be respected, it was appropriate for workers having taken paid educational leave to return to the undertaking in so far as a job corresponding to their new skills could be offered. This return to the undertaking derived, moreover, from the legal character of paid educational leave.

IV. Duration and Forms of Paid Educational Leave

40. The discussion on the advantages and disadvantages of fixing minimum and maximum durations of paid educational leave brought out three main points of view. While numerous experts favoured the establishment of minimum durations, some wished to establish a maximum period as well; several experts were opposed to specifying any duration.

41. Some of those in favour of minimum duration thought in terms of a given number of days per year, which could be cumulative over a certain period. Thus workers would know exactly how much leave they were entitled to for educational or training purposes. Others were of the opinion that minimum periods should be established through legislation, collective agreements or by other means but should vary with the type of training and education and with other factors, such as the age of the trainee. The requirements of the undertaking and of the economic sector were another reason to lay down specified periods. However, if a minimum period was to be established it would have to be ensured that adequate educational and training facilities existed to cope with the influx of people seeking training and education. The fixing of a specified period was regarded by some experts as another possible question to be dealt with in collective bargaining.

42. With regard to financing, some experts considered that the problem of fixing maximum periods arose particularly in connection with paid educational leave for training. Comparison was made with other types of leave, such as sick leave.

43. Several experts preferred not to specify durations in order to maintain as much flexibility as possible in this matter. Further, they felt that there were too many variables to be taken into account, such as the type, nature, objectives and level of training and education, the differences in educational and training systems, the previous education and training of the candidates and the place where the education or training was given. Mention was also made of the difficulty of determining an optimum duration, particularly as far as civic and social education was concerned. Moreover, it was questioned by some experts whether the fixing of a minimum period through legislation would be in the workers' interest since better terms might be achieved through collective agreements or through the initiative of employers.

44. With regard to the different forms of release for purposes of education and training during working hours, such as full-time or part-time training, there was general agreement that all these various forms should be considered.

V. Remuneration, Financial Aid and Problems of Cost and Financing

45. The discussion of these points largely focused on the sharing of the costs of paid educational leave between governments, employers, workers' organisations and other bodies. These costs included remuneration and social security contributions, if any, during educational leave and the financing of education and training. It seemed to be widely accepted that the general education system, including adult education, was by and large the responsibility of the State; if, however, paid educational leave were generalised, employers

could be asked to meet part of the cost through payment of salaries, although the remuneration of workers from other sources, such as fellowships, was not excluded. But in the case of initial and further training, including vocational training, management education and training for higher scientific and technical personnel, a large proportion of the cost should be borne by employers. Attention was drawn in this connection to practices in some countries whereby employers were reimbursed for salaries paid during educational training leave from public funds or from funds established by groups of undertakings so as to apportion expenses on the basis of the economic capacity of each undertaking, having regard, in particular, to the more limited resources of small undertakings.

46. With regard to leave for trade union training, a number of experts stated that trade unions already contributed to the financing of training establishments and sometimes made up the loss of wages suffered by the workers. For some trade unions, this burden might be excessive. Some experts felt that it was in the employers' interest to have experienced and responsible shop stewards and other workers' representatives in the undertakings; this could justify a contribution on the employers' part to leave for trade union training. Other experts pointed to the fact that trade unions, being autonomous organisations, should alone have responsibility for the training of their members and representatives. If necessary, financial aid could be provided by public funds.

47. As to the cost that paid educational leave would entail for the economy in terms of loss of production, it was agreed that estimates were indeed difficult to make. Since workers would be replaced while on educational leave, loss of production might be unlikely but paid educational leave did entail additional costs which had to be faced. On the other hand, paid educational leave represented a major investment not only for human development but also for technical development and economic growth. If neglected, skills and knowledge would quickly become inadequate and outdated.

VI. Provisions for Special Categories

48. With regard to provisions for paid educational leave to be made for, or priority accorded to, special categories of workers, it was agreed that the discussion would be limited to workers in employment. For workers threatened by redundancy—for technological reasons, or because of mergers of undertakings, which can be foreseen by means of planning—arrangements for retraining through paid educational leave should be made, if necessary. Retraining, however, ought to include raising workers' general educational standards since, in view of rapidly changing technology, several occupational changes during working life needed to be envisaged. Attention was drawn in this connection to the fact that not only manual workers but also management staff and higher technical and scientific personnel were affected by redundancy and should therefore benefit from paid educational leave.

49. It was generally agreed that special attention needed to be given to the educational and training needs of young workers who had left school early. Special provisions should be established by law to enable them to reach adequate standards of general education. Special schemes for migrant workers should also be considered. Although the situation varied from country to country, migrant workers needed language instruction and help to adapt to the social and cultural life of the host country. There was also the problem of adults with inadequate levels of education and that of preparing workers for activities after retirement. Other special categories of workers mentioned, for whom special training and education needed to be provided, were handicapped people. It was also pointed out that education and training would have to be geared to the growing number of women in the labour force whose level of skills was often inferior. Attention was finally drawn to shift workers who, because of their different work schedules, often could not benefit to the same extent as others from educational and training facilities.

VII. Use of Educational and Training Facilities

50. It was widely agreed that the generalisation of paid educational leave required a great deal of planning in terms of educational and training facilities, of teaching resources.

and of innovation in teaching techniques. International co-operation in this field should be promoted, especially by UNESCO and the ILO. Data provided by experts of countries where training and adult education were rapidly expanding showed that if needs in this field were to be met, reliance on existing facilities was not realistic and consequently new approaches were necessary. Thus several experts stressed that training and education for adults had to be entirely revised, since the traditional forms were not adapted in general to the new needs. This applied to teaching methods, pace, content and the type of language used, considering the different socio-cultural background of workers. In contrast to traditional approaches, this meant that educational establishments should be widely opened to workers and that, likewise, the schools should go to the workers instead of the other way round. Such measures, it was felt, were necessary to attract to adult education workers who distrusted the traditional educational systems.

51. A number of experts, particularly from countries where large-scale educational reforms were under way, added that the new approaches to adult education and training had to be built into the over-all educational system. In some other countries it was noted that students had been poorly prepared for employment and that the opening of schools for programmes of adult education led traditional educational establishments and systems to reconsider their purposes and methods. Therefore, close links between workplace and school, between university and industry, between employment and education, needed to be established by such means as moving the classrooms to factories and offices. Students would thus gain experience as workers and workers in turn would periodically become students.

52. Several experts referred to experiences in providing education and training facilities of a new type in developing countries where needs could not be met by establishing facilities of the type used in developed countries without adapting them. Thus, certain lessons could be drawn from new learning processes tried in literacy programmes, whereby educational curricula were not imposed by the teachers on the learners but prepared with the latter's participation. Mention was also made of the creation of polyvalent adult education centres in urban communities which were geared to a variety of needs of the workers—vocational as well as social, civic and political needs. Courses of varying duration were held in places easily accessible to the workers and teaching was given by persons drawn from industry and trained in adult education methodology. It was pointed out that these and other kinds of experimentation were needed to find ways to cope with the tremendous increase in people needing training and education. Referring to the creation of new facilities for general education, such as open universities where instruction is supplemented by correspondence courses and television and radio, the need was mentioned to establish also open secondary schools for adults which should be part of paid educational leave schemes.

VIII. Measures of Control

53. With regard to the problem of quality control and of the accrediting of programmes and institutions, there was general agreement that such controls had to be established but that the authorities exercising control would vary according to the type of training. The appropriate public authorities should exercise due responsibility with regard to the control of programmes and the accrediting of educational establishments. As far as training for an occupation was concerned, bipartite or tripartite bodies would exercise control depending on the auspices under which training was taking place. Whenever public funds were involved it was obvious that participation in control by appropriate public authorities had to be accepted. In the case of trade union training the trade unions were solely responsible for controlling programmes and training institutions. Finally, attention was drawn to the fact that the accrediting of programmes and institutions was necessary because of the large variety of establishments and programmes, some of which were of substandard quality.

IX. Motivation, Selection of Candidates, Co-operation

54. It was unanimously recognised that special attention should be paid to the problem of the motivation of workers so that they might be in a position to draw full benefit from the educational and training facilities offered. A wide exchange of views took place on the

different factors in motivation and on the principal motive which led workers not only to decide to take a training course but also to continue their effort until it was concluded. Among the numerous elements considered were the importance of adequate prior information and orientation as well as factors such as age, length of service, family situation, basic education, occupational experience, level of skill, etc. On the other hand, the incentives to improve knowledge and skills varied considerably from one worker to another, depending on occupational categories and groups, on sectors of activity and according to the types of paid educational leave.

55. It was agreed that it was fundamental for workers to be motivated and make their own choices. Each worker should be able to decide freely and in full knowledge of the facts, in his own interest as well as in that of the community. Several experts indicated that, particularly for the least skilled workers whose earnings were low, the most important element would be the granting of immediate advantages of a material nature. In fact, before taking paid educational leave, the candidate should assess the relative pay increase anticipated after receiving training and his effort would therefore be seen in the light of the improvement in his standard of living. In the view of some experts, pay increases granted as a consequence of the improvement of knowledge or skills could in certain cases lead to difficulties because of the disturbing effects on the pay structure and the tensions which might be created between workers. In these circumstances it might perhaps be preferable to provide beforehand, for example, for special allowances of varying amounts according to the results obtained and the advantages anticipated for the enterprise. Moreover, as regards promotion, it would be unrealistic to envisage the immediate and automatic promotion of workers having taken an educational or training course. But account should be taken of the improved qualifications of workers in considering future promotions.

56. Numerous experts stated, nevertheless, that financial motivation while necessary, was neither sufficient nor the most important factor. It would be misleading to think that only the prospect of a wage increase or of a promotion would be sufficient to encourage a worker already in employment to undertake the effort of training, especially when the course was of long duration and called for certain sacrifices in time or money. In particular in the case of non-manual workers and medium- and high-level management staff or in the case of courses of general education, social and trade union education, motivation was not necessarily of an exclusively material character. In these cases the wish to be trained formed part of the much larger framework of the aspirations and expectations of a growing number of workers involving, on the one hand, a broadening of their individual abilities, particularly in respect of cultural level and, on the other hand, a greater participation in the operation of their enterprise and in the economic, social and political development of their national community.

57. The success of paid educational leave programmes depended to a large extent on the giving of the appropriate information to all concerned and on the quality of the orientation and counselling. The information should be as complete as possible—that is, it should be concerned with the evolution of techniques and occupations, with educational and training facilities and with immediate and future job openings. Moreover, this information should be provided by all the authorities and institutions participating in the planning and setting up of programmes—the principal responsibility, however, falling on the public authorities.

58. The counselling and orientation of workers should also be part of the responsibility of the public authorities but be decentralised and carried out with the effective collaboration of workers' and employers' organisations. In all cases orientation should offer the maximum number of possibilities and allow candidates to choose freely.

59. The problems raised by the selection of candidates or rather by the determination of priorities among candidates for various kinds of education and training were examined from the point of view of the criteria being applied and the particular body responsible for a decision in the matter. The experts agreed that the wishes of the workers, on whom no *a priori* decisions should be imposed, should be respected as strictly as possible. However, the use of criteria of a very general nature, for example of a political character, should be avoided. The type of programme envisaged in direct relation with the wishes of the candidate should be considered with the maximum of objectivity. The two most important

criteria to remember might be, first, the readiness of the worker to improve himself and, second, his general suitability for a course of education of the cultural or social type and his capacity and professional qualifications for a training course.

60. Paid educational leave, to the extent that it is in the interest of the community and represents a productive investment, should at all stages of its organisation and in all fields concerned be the subject of effective and close collaboration between all those concerned—i.e. not only the workers, the employers, and the institutions of education and training but also the State, which represents the general interest on the national as well as the local level. This should be done whatever the measures or the form in which public aid is granted. It was necessary that this collaboration should be established on a permanent basis at different levels. Several experts pointed in this connection to the creation of a national body, council or committee responsible for the identification of needs as well as of the administration and control of programmes. In addition, at the level of undertakings, bipartite bodies should be associated in the planning and development of programmes.

X. Future Activities of the ILO

61. Satisfaction was expressed that the Governing Body of the ILO had, in proposing to the General Conference the adoption of international instruments in this matter, recognised the importance of the development of the right to and facilities for paid educational leave. A number of experts suggested that a Convention could lay down the minimum principles and the criteria of a general nature without establishing norms that would be too rigid; a Recommendation could mention the different methods of application and the various procedures in order to guide national authorities in the drafting of realistic and appropriate regulations. Other experts, however, took the view that it was premature to take a stand on the form of the instrument or instruments that might be adopted.

62. Finally, several experts expressed the hope that the ILO would use the means at its disposal to continue to study the situation and the problems concerning paid educational leave in the different countries and to disseminate as widely as possible the information gathered. The ILO should be in a position to furnish technical assistance to governments requesting it in order to help them to plan and implement programmes in this field.

XI. Summary

63. The Meeting of Experts considered it desirable to summarise the main ideas developed in the report on which there was a consensus of opinion.

(1) The principle of paid educational leave should be regarded as a new social right responding to the real needs of modern society: first, the need for lifelong education and social and cultural advancement; and, second, the need to promote the training necessary to keep pace with technological progress and to enable workers to fulfil their economic and social responsibilities.

(2) Having regard to these objectives, three main types of educational leave can be identified:

(a) general, social and civic education;

(b) training at all levels;

(c) trade union education.

(3) The conditions under which paid educational leave is granted should be based on the following general principles: it should be available to all workers without any discrimination and those taking paid educational leave should not suffer financial loss or other adverse consequences.

(4) Special provisions concerning paid educational leave should be established to meet the specific needs of particular categories of workers, particularly the underprivileged ones.

(5) In the case of young workers who left school at an early age, special provisions for paid educational leave should be established by law to enable them to reach adequate standards of general education.

(6) Minimum paid educational leave should be established by law and/or by collective agreement. Arrangements for paid educational leave should take into account:

(a) the suitability of the programmes;

(b) the needs of the undertaking;

(c) the needs of the workers.

(7) Arrangements for paid educational leave should be the joint concern of the public authorities, workers' and employers' organisations and the institutions providing education or training. Trade union education and training should be the sole responsibility of trade unions as regards selection of candidates and approval of programmes. Adequate systems of counselling and information should be established by public authorities with the collaboration of workers' and employers' organisations.

(8) The cost of programmes of paid educational leave should be met by the public authorities, employers, and educational or training bodies, depending on particular programmes; workers' organisations might be asked to contribute in the case of trade union education.

(9) Recognition of the right to paid educational leave will require the use of substantial resources and a full awareness of the considerable possibilities it opens up for social progress. Careful planning would be required to mobilise available educational facilities, including universities, technical colleges, schools, broadcasting and television agencies, adult education centres, workers' education bodies, etc. This presupposes a general commitment on the part of governments, employers, workers and the entire community.

(10) The Meeting of Experts requests the ILO to continue to study the problem of paid educational leave, to disseminate information and to furnish wherever practicable any technical assistance needed. It notes with satisfaction that the Governing Body has placed this question on the agenda of the 58th (1973) Session of the International Labour Conference, and it hopes that the Conference will adopt appropriate international instruments to ensure the development of paid educational leave in member States.

APPENDIX II

RESOLUTIONS ADOPTED BY THE ILO

Resolution concerning Paid Educational Leave, Adopted by the International Labour Conference [1]

(49th (1965) Session)

The General Conference of the International Labour Organisation,

Noting that the development of modern society, which is largely conditioned by scientific and technological progress both in industrialised and in developing countries, calls for new and ever-widening knowledge which cannot be provided solely through initial general schooling and vocational training, and that it is therefore desirable to promote for the workers appropriate continuing education to facilitate their adjustment to contemporary occupational, educational and civic requirements,

Noting that such education enables workers in the developing countries to participate more effectively in the task of economic and social development of their countries and constitutes a positive contribution to the implementation of economic and social development plans,

Noting that some countries have already made progress towards providing a measure of paid educational leave for workers,

Noting that workers who are dependent on their wage or salary, to the extent that they do not yet benefit from paid educational leave, must either sacrifice free time intended for recreation or forgo the possibility of continuing their education, and that it is therefore in their interest that new forms of further education be developed and encouraged;

1. Calls on the governments of all States Members of the International Labour Organisation as well as on the employers' organisations and trade unions to take effective action by statutory means, through collective agreements or any other means, according to national practice, towards ensuring the access of workers to various types of paid educational leave, as distinct from holidays with pay for recreational purposes, in order to give them the opportunity and incentive to acquire the further education and training which they need to carry out their duties at the workplace and assume their responsibilities as members of the community.

2. Invites the Governing Body of the International Labour Office to request the Director-General to compile information concerning legislative and collective agreement provisions and other arrangements relating to paid educational leave, existing in the States Members of the International Labour Organisation, as well as the methods employed in such States to ensure to workers who benefit from educational leave compensation for wages or salary lost.

3. Invites the Governing Body to request the Director-General to undertake surveys in the light of the above-mentioned studies with a view to the adoption by the International Labour Conference of an international instrument concerning paid educational leave.

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[1] Adopted on 23 June 1965 by 207 votes in favour, 41 against, with 15 abstentions.

Resolution (No. 67) concerning Paid Educational Leave for Occupational and Educational Improvement [1], Adopted by the Advisory Committee on Salaried Employees and Professional Workers

(Sixth Session, Geneva, 4-14 December 1967)

The Advisory Committee on Salaried and Professional Workers,

Having been convened by the Governing Body of the International Labour Office,

Having met at Geneva in its Sixth Session from 4 to 14 December 1967,

Noting with satisfaction that the International Labour Conference at its 46th Session adopted the Vocational Training Recommendation, 1962 (No. 117),

Noting further that at its 49th Session the Conference adopted a resolution concerning paid educational leave, intended to promote the general and social education of non-manual workers and also to improve the level of present and future professional qualification and so provide for occupational readaptation,

Considering that vocational training is not an end in itself but a means of developing the capacities of the individual, taking employment possibilities into account, and of thus permitting the use of human capacities with due respect for the worker's personality and in the common interests of the worker and of society,

Considering that training is a process which may be pursued during an entire occupational lifetime and should be conceived with the active participation and under the control of the employers' and workers' organisations,

Considering that the sciences and modern techniques are developing at an increasing pace, which implies that the workers experience a continuing improvement of their professional and general knowledge;

Adopts this fourteenth day of December 1967 the following resolution:

The Advisory Committee on Salaried Employees and Professional Workers invites the Governing Body of the International Labour Office to accelerate the necessary action with a view to complying with the request made in paragraph 3 of the resolution adopted by the 49th Session of the International Labour Conference in 1965 concerning paid educational leave, in view of the importance of this question for non-manual workers.

Resolution (No. 64) concerning Paid Educational Leave to Enable Workers in the Textile Industry to Raise Their Standard of Education and to Facilitate Their Retraining and Vocational Readjustment [2], Adopted by the Textiles Committee

(Eighth Session, Geneva, 29 April-10 May 1968)

The Textiles Committee of the International Labour Organisation,

Having met at Geneva in its Eighth Session from 29 April to 10 May 1968,

Noting with satisfaction that the General Conference of the International Labour Organisation, at its 46th Session, adopted a Recommendation concerning vocational training, 1962 (No. 117),

Noting that, at its 49th Session in 1965, the Conference adopted a resolution concerning paid educational leave calling on " the governments of all States Members of the International Labour Organisation as well as on the employers' organisations and trade unions to take effective action by statutory means, through collective agreements or any other means, according to national practice, towards ensuring the access of workers to various types of paid educational leave, as distinct from holidays with pay for recreational purposes, in order to give them the opportunity and incentive to acquire the further education and training which they need to carry out their duties at the workplace and assume their responsibilities as members of the community ",

[1] Adopted by 70 votes in favour, 41 against, with 10 abstentions.

[2] Adopted by 84 votes in favour, 26 against, with 36 abstentions.

Noting that the problem of illiteracy among workers in the textile industries of developing countries seriously hampers the efforts being made towards the rapid economic and social development of those countries, and considering that the governments concerned must do their utmost towards solving this problem by laying down essential guidelines to facilitate the acquisition of the general and specific skills required by the speeding up of technical progress and technological change in the textile industry,

Considering that all workers of either sex employed in the textile industry must be given the opportunity to raise their educational level, to improve their skills and, if necessary, to become vocationally readjusted or to acquire a new skill;

Adopts this tenth day of May 1968 the following resolution:

The Textiles Committee:

(a) calls on the governments of all States Members of the International Labour Organisation as well as on the employers' organisations and trade unions to take the steps mentioned above in the resolution concerning paid educational leave, applying them to workers in the textile industry;

(b) invites the Governing Body of the International Labour Office to take the necessary action outlined in the same resolution concerning paid educational leave and, in particular, to instruct the Director-General to undertake research within the textile industry, the results of which should be made available to the International Labour Conference but which should also be brought to the attention of the Ninth Session of the Textiles Committee.

Resolution (No. 79) concerning Paid Educational Leave for the Improvement of the General Education, Occupational Skill and Retraining of Persons Employed in the Construction Industry [1], Adopted by the Building, Civil Engineering and Public Works Committee

(Eighth Session, Geneva, 19-30 July 1971)

The Building, Civil Engineering and Public Works Committee of the International Labour Organisation,

Having been convened by the Governing Body of the International Labour Office, and

Having met at Geneva in its Eighth Session from 19 to 30 July 1971,

Considering that the rapid pace of technological progress in the construction industry makes higher demands in regard to the general and vocational education of building workers,

Emphasising that the present technological progress in the construction industry produces conditions leading to the partial redundancy of the labour force, which makes it increasingly important to improve the occupational skill and retraining of the workers with a view to dealing with unemployment and creating further opportunities for employment,

Bearing in mind that technological progress in the construction industry produces conditions conducive to the gradual reduction of working hours, increased leisure time for building workers and expanded opportunities for them to raise their general educational standards and their retraining,

Noting that the International Labour Conference at its 49th (1965) Session adopted a resolution concerning paid educational leave in which stress was laid on the need for measures aiming at " ensuring the access of workers to various types of paid educational leave, as distinct from holidays with pay for recreational purposes, in order to give them the opportunity and incentive to acquire the further education and training which they need to carry out their duties at the workplace and assume their responsibilities as members of the community ",

Noting with satisfaction that the Governing Body of the ILO at its 183rd (May-June 1971) Session decided to include an item on paid educational leave in the agenda of the 58th (1973) Session of the International Labour Conference,

[1] Adopted by 125 votes in favour, none against, with 1 abstention.

Noting furthermore that the Programme and Budget of the ILO for 1972-73 contains provisions for holding in 1972 a Meeting of Experts on Paid Educational Leave to prepare the way for the discussion of this question at the Conference,

Mindful that the granting of paid educational leave is one of the concrete measures that can effectively contribute towards implementation of the aims set out by the ILO in the World Employment Programme;

Adopts this twenty-ninth day of July 1971 the following resolution:

The Governing Body of the International Labour Office is invited to bring the present resolution of the Committee concerning paid educational leave to the notice of the Meeting of Experts on Paid Educational Leave and of the 58th Session of the International Labour Conference, and to draw their attention to the need for their findings to be applicable to persons employed in the construction industry.